Washington, Saturday, June 6, 1953

TITLE 7-AGRICULTURE

Chapter I-Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52-PROCESSED FRUITS AND VEGE-TABLES, PROCESSED PRODUCTS THEREOF. AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART B-UNITED STATES STANDARDS 1

-UNITED STATES STANDARDS FOR GRADES OF FROZEN SUCCOTASH

A notice of proposed rule making was published on December 18, 1952, in the Federal Register (17 F.R. 11450) regarding proposed United States Standards for Grades of Frozen Succotash. After considering all relevant matters presented, including the proposals set forth in the aforesaid notice, the following United States Standards for Grades of Frozen Succofash are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U.S. C. 1621, et seq.) and the Department of Agriculture Appropriation Act, 1953 (Pub. Law 451, 82d Cong.,. approved July 5, 1952)

§ 52,659 Frozen succotash—(a) Definition. Frozen succotash means the frozen product prepared from fresh, clean, sound, succulent kernels of sweet corn and the immature seed of varieties of lima beans, vegetable soybeans, or fresh immature pods of green beans or wax beans. The ingredients are mixed and properly dramed and then frozen in accordance with good commercial practice and maintained at temperatures necessary for the preservation of the product. When soybeans or green beans or wax beans are used, the product is designated as "frozen soybean succotash" or "frozen green bean (or wax bean) succotash," as the case may be.
(b) Kind, type, and style of ingredi-

ents. (1) Corn, sweet, whole kernel:

- (i) White.
- (ii) Golden (yellow)
- (2) Lima beans:
- (i) Thin-seeded.
- (ii) Thick-seeded.

The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic

- (iii) Thick-seeded baby potato.
- (3) Soybeans, vegetable.
- (4) Green beans or wax beans, Cut or Short Cut style.
- (c) Proportion of ingredients. It is recommended that frozen succetash consist of a mixture of the vegetable ingredients in the following proportions:

	Proportions by weight (pareaut)		
	Not more than—	Not less than—	
Corn, white or golden	ដន្តន	ន្ទដង	

(d) Grades of frozen succotash. (1) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen succotash in which each vegetable possesses similar varietal characteristics; possesses a good flavor and odor; is tender; possesses a good color; is practically free from defects; and that for those factors which are scored in accordance with the scoring system outlined in this section the total score is not less than 90 points: Provided. That the frozen succotash may be reasonably tender and possess a reasonably good color if the total score is not less than 90 points.

(2) "U. S. Grade B" or "U. S. Extra Standard" is the quality of frozen succotash in which each vegetable possesses similar varietal characteristics; possesses a good flavor and odor; is reasonably tender; possesses a reasonably good color; is reasonably free from defects; and that scores not less than 80 points when scored in accordance with the scoring system outlined in this section

(3) "U. S. Grade C" or "U. S. Standard" is the quality of frozen succotash in which each vegetable possesses similar varietal characteristics; possesses a fairly good flavor and odor; is fairly tender; possesses a fairly good color; is fairly free from defects; and that scores not less than 70 points when scored in accordance with the scoring system outlined in this section.

(4) "Substandard" is the quality of frozen succotash that fails to meet the requirements of U.S. Grade C or U.S. Standard.

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REGISTER.

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(For use during 1953)

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grade of frozen succotash is ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of color, absence of defects, and tenderness.

(2) The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maxmum number of points that may be given each such factor is:

Factors: Points (i) Color_ 30 (ii) Absence of defects_____ 30 (iii) Tenderness Total score____

(3) The scores for the factors of color. absence of defects, and tenderness (with respect to each individual vegetable prior to cooking) are determined immediately after thawing to the extent that the product is substantially free from ice crystals and can be handled as individual units. A representative sample is cooked to determine the tenderness of the vegetable ingredients collectively and to ascertain the flavor and odor of the product.

(4) "Good flavor and odor" means that the product, after cooking, has a good, characteristic, normal flavor and odor and is free from objectionable flavor and objectionable odors of any

kınd.

(5) "Fairly good flavor and odor" means that the product after cooking may be lacking in good flavor and odor but is free from objectionable flavors and objectionable odors of any kind.

(f) Ascertaining the rating for the factors which are scored. The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "27 to 30 points" means 27, 28, 29, or 30 points)
(1) Color (i) The factor of color

refers to the overall appearance of the product and to the general brightness of

the vegetables.

(a) "Green" with respect to lima beans means that the color of not less than 50 percent of the surface area of the individual lima bean (with skins on) possesses as much or more green color than Plate 18, J-3, as illustrated in Maerz and Paul's Dictionary of Color.2

(b) "White" with respect to lima beans means that more than 50 percent of the surface area of the individual lima bean (with skins on) possesses less green color than Plate 18, E-1, as illustrated in Maerz and Paul's Dictionary of Color.

- (ii) Frozen succotash that possesses a good color may be given a score of 27 to 30 points. "Good color" means that the vegetables are bright and possess a color typical of young and tender vegetables that have been properly prepared and properly processed and that the frozen whole kernel (or whole grain) corn is practically free from "off-colored" kernels. In addition, the lima beans shall meet the following color require-
- (a) Not less than 93 percent, by count, of the lima beans are green and not more

1 percent, by count, of all the lima beans

are white, or
(b) Not less than 97 percent, by count, of the lima beans are green and not more than 3 percent, by count, may be lighter in color or white beans.

(iii) If the frozen succotash possesses a reasonably good color, a score of 24 to 26 points may be given. "Reasonably good color" means that the vegetables are reasonably bright and possess a color typical of reasonably young and reasonably tender vegetables that have been properly prepared and properly processed and that the frozen whole kernel (or whole grain) corn is reasonably free from "off-colored" kernels. In addition, the lima beans shall meet the following color requirements:

(a) Not less than 65 percent, by count, of the lima beans are green and not more than 35 percent, by count, may be lighter in color or white beans.

(iv) Frozen succotash that possesses a fairly good color may be given a score of 21 to 23 points. Frozen succotach that fails into this classification shall not be graded above U.S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting "Fairly good color" means that the vegetables possess a color that may be dull but not to the extent that the appearance is materially affected and the whole kernel (or whole grain) corn in the frozen succotash is fairly free from "off-variety" kernels. In addition, the lima beans shall meet the following color requirements:

(a) Less than 65 percent, by count, of the lima beans are green and all of the lima beans may be white.

(v) If the frozen succofash fails to meet the requirements of subdivision (iv) of this subparagraph, a score of 0 to 20 points may be given. Frozen succotash that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(2) Absence of defects. (1) The factor of absence of defects refers to the degree of freedom from extraneous vegetable matter, damaged units, seriously damaged units, and from any other defects.

(a) "Extraneous vegetable matter" means pieces of pod, leaves, stems, pieces of cob, husk, and other similar vegetable matter, other than silk, that is normally removed in proper preparation of the vegetables for processing.

(b) "Damaged" means damaged by discoloration, pathological injury, insect injury, or damaged by other means to the extent that the appearance or cating

quality is materially affected.
(c) "Seriously damaged" means damaged by discoloration, pathological injury, insect injury, or damaged by other means to the extent that the appearance or eating quality is seriously affected and includes but is not limited to "shriveled" lima beans that are materially wrinkled and are not of normal plumpness and "sprouted" lima beans that show an external shoot protruding be-

yond the cotyledon or skin.
(d) "Other defects" means any defect not specifically mentioned that affects

(e) Ascertaining the grade. (1) The than 7 percent, by count, may be lighter the appearance or eating quality of the ade of frozen succotash is ascertained in color: Provided, That not more than product and includes but is not limited to the following:

(1) Lima beans. Broken beans, loose cotyledons, loose skins, and any portion thereof.

(2) Corn. Crushed kernels, ragged kernels, loose skins, and dark and objectionable silk more than 1/2 inch in length.

(3) Soybeans. Broken soybeans, loose cotyledons, loose skins, or any portion thereof.

(4) Green (or wax) beans. Ragged cut units, split units, and small pieces of

(ii) Frozen succotash that is practically free from defects may be given a coore of 27 to 30 points. "Practically score of 27 to 30 points. free from defects" means that the aforesaid defects, individually or collectively, do not more than slightly affect the appearance or eating quality of the product. The following allowances provide a guide for scoring frozen succotash that is practically free from defects. For each 10 ounces of frozen succotash there may be present: 1 piece, or pieces, of extraneous vegetable matter, such as pieces of pod, husk, leaves, and stems having an aggregate area of not more than % square inch (1/2 inch x % inch) on one surface of the piece, or pieces; and 14 cubic centimeter of pieces of cob.

(iii) If the frozen succotash is reasonably free from defects, a score of 24 to 26 points may be given. Frozen succotash that falls into this classification shall not be graded above U.S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule) "Reasonably free from defects" means that the aforesaid defects, individually or collectively, do not materially affect the appearance or eating quality of the product. The following allowances provide a guide for scoring frozen succotash that is reasonably free from defects. For each 10 ounces of frozen succotash there may be present: 1 piece, or pieces, of extrangous vegetable matter, such as pieces of pod, huck, leaves, and stems having an aggregate area of not more than % square inch (1/2 inch x 3/4 inch) on one surface of the piece, or pieces; and 1/2 cubic centimeter of pieces of cob.

(iv) Frozen succotash that is fairly free from defects may be given a score of 21 to 23 points. Frozen succetash that falls into this classification shall not be graded above U.S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting "Fairly free from defects" means rule). that the aforesaid defects, individually or collectively, do not seriously affect the appearance or eating quality of the product. The following allowances provide a guide for scoring frozen succotash that is fairly free from defects. For each 10 ounces of frozen succotash there may be present: 1 piece, or pieces, of extraneous vegetable matter, such as pleces of pod, husk, leaves, and stems having an aggregate area of not more than ¾ square inch (½ inch x 1½ inch) on one surface of the piece, or pieces; and 1 cubic centimeter of pieces of cob.

(v) Frozen succotash that fails to meet the requirements of subdivision (iv) of this subparagraph may be given a score of 0 to 20 points. Frozen suc-

² First Edition.

cotash that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(3) Tenderness. (i) Frozen succotash consisting of vegetables that are tender may be given a score of 36 to 40 points. "Tender" means that the vegetables in the frozen succotash, after cooking, are tender, and, prior to cooking, meet the following additional requirements:

(a) Corn, whole kernel (or whole grain) The kernels are in the milk or early cream stage of maturity.

(b) Lima beans. The lima beans are

young and tender.
(c) Soybeans. The soybeans

(c) Soybeans. The soybeans are young and tender.

(d) Green beans (or wax beans)
The green beans (or wax beans) are
full-fleshed for the variety, and the seeds
are in the early stage of maturity

(ii) If the frozen succotash consists of vegetables that are reasonably tender, a score of 32 to 35 points may be given. "Reasonably tender" means that the vegetables in the frozen succotash, after cooking, are reasonably tender, and, prior to cooking, meet the following additional requirements:

(a) Corn, whole kernel. The kernels are in the cream stage of maturity.(b) Lima beans. The lima beans are

reasonably young and reasonably tender.
(c) Soybeans. The soybeans are reasonably young and reasonably tender.

(d) Green beans (or wax beans) The green beans (or wax beans) may have lost their fleshy texture to some extent and the seeds may have passed the early stage of maturity and have not reached

the late stage of maturity.

- (iii) Frozen succotash consisting of vegetables that are fairly tender may be given a score of 28 to 31 points. Frozen succotash that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly tender" means that the vegetables in the frozen succotash, after cooking, are fairly tender, and, prior to cooking, meet the following additional requirements:
- (a) Corn, whole kernel. The kernels are in the early dough or dough stage of maturity.
- (b) Lima beans. The lima beans may be nearly mature.
- (c) Soybeans. The soybeans may be nearly mature.
- (d) Green beans (or wax beans) The green beans (or wax beans) may have lost to a considerable extent their fleshy structure and the seeds may be well developed and nearly mature.
- (iv) Frozen succotash in which the vegetables fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 27 points. Frozen succotash that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)
- (g) Method for determining proportion of ingredients. (1) The proportion of ingredients is determined on the thawed succotash in the following manner:

(i) Separate each of the vegetables from all of the containers in the sample.(ii) Composite each of the vegetables

thus separated and weigh.

(iii) Add the weights of the composited vegetables to obtain the total weight of vegetables in the sample.

(iv) Divide the total weight of vegetables by the weight of each of the composited vegetables in the sample and multiply by 100. The result shall be considered to be the percent of the total weight of vegetables in the sample or the proportion of the vegetable ingredient.

(h) Tolerances for certification of officially drawn samples. (1) When certifying samples that have been officially drawn and which represents a specific lot of frozen succotash the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, with respect to those factors which are scored:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores:

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores;

(iv) The average score of all containers for any factor subject to a limiting rule must be within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample; and

(2) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(i) Score sheet for frozen succotash.

Size and kind of container Container mark Package or Identification Cases Label (list of ingredients,	S		
Net weight (ounces)			
Kind, type, and style of	ingredients	Aggregate weight each ingredient	Proportion of ingredients
Corn—white kernel (whit Lima beans (type)_ Soybeans_ Green (or wax) beans, cu inches. Total weight_ () Meets proportions; ()	t to	0z.	% % 100%
Factors	Score po		
I. Color	30 (A) (B)	27-30 24-26 121-23 10-20 27-30 124-26 121-23	
III. Tenderness		36-40 32-35 128-31	
Flavor and odor after cool () Good; () fairly goo Grade	ting: d; () off.		

Indicates limiting rule.

Effective time. The United States Standards for Grades of Frozen Succotash (which are the first issue) contained in this section will become effective thirty days after date of publication in the Federal Register.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Issued at Washington, D. C., this 2d day of June 1953.

[SEAL] GEORGE A. DICE,
Deputy Assistant Administrator,
Production and Marketing
Administration.

[F. R. Doc. 53-5069; Filed, June 5, 1953; 8:51 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 488]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.595 Lemon Regulation 488-(a) Findings. (1) Pursuant to marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided. will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insumcient, and a reasonable time is permitted. under the circumstances, for prepara-tion for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on June 3, 1953, such

meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this

(b) Order. (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a.m., P. s. t., June 7, 1953, and ending at 12:01 a.m., P. s. t., June 14, 1953, is hereby fixed as follows:

(i) District 1. Unlimited movement; (ii) District 2: 650 carloads.

(iii) District 3: Unlimited movement. (2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 487 (18 F. R. 3112) and made a part of this section by this reference.

(3) As used in this section, "handled." "handler," "carloads," "prorate base,"
"District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U.S. C. and Sup. 608c)

Done at Washington, D. C., this 4th day of June 1953.

S. R. SMITH, Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-5117; Filed, June 5, 1953; 8:53 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 27-EXCLUSION FROM PROVISIONS OF THE FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED, AND THE CLASSIFICA-TION ACT OF 1949, AS AMENDED, AND ESTABLISHMENT OF MAXIMUM STIPENDS FOR POSITIONS IN GOVERNMENT HOSPIT-ALS FILLED BY STUDENT OR RESIDENT TRATIJEES

DIETETIC RESIDENT

- 1. Effective May 15, 1953, the list of positions excluded from the provisions of the Federal Employees Pay Act and the Classification Act in § 27.1 is amended by the addition of the following:
- § 27.1 Exclusion from provisions of Federal Employees Pay Act and Classift-cation Act. * * *

Dietetic Resident, second year approved postgraduate training.

2. Effective May 15, 1953, the list of positions for which maximum stipends have been prescribed in § 27.2 is amended by the addition of the following:

§ 27.2 Maximum stipends prescribed.

Dietetic Resident: Second year approved postgraduate training: \$2,200.

(61 Stat. 727; 5 U. S. C. 1051-1058)

United States Civil Serv-ICE COLLESION, [SEAL] WM. C. HULL, Executive Assistant.

[F. R. Doc. 53-5052; Filed, June 5, 1953; 8:48 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C-Office of International Trade [6th Gen. Rev. of Export Regs., Amdt. 491]

PART 371-GENERAL LICENSES

PART 373-LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

MISCELLANEOUS AMENDMENTS

1. Section 371.2 General provisions paragraph (c) Applicability is amended

in the following particulars:
Subparagraph (1) Prohibited shipments is amended by the addition of the following subdivision (ii) The first subdivision is numbered (i)

- (ii) No general license set forth in this part, other than General Licenses GUS and BAGGAGE, may be used to effect an exportation of military wearing apparel unless all distinctive U.S. military insigma, buttons, and other markings are removed prior to shipment. (See § 373.60 of this subchapter for shipments under validated license.)
- 2. The note following § 371.21 General license for gift parcels, paragraph (d) General license designation is amended by deleting therefrom the reference to "reduced postage rate arranged by the Mutual Security Agency for gift ship-The first unnumbered paraments" graph of the Note as amended reads as follows:

Nore: The sending of merchandise as gifts is also subject to the import regulations of the receiving country. Many foreign countries permit the entry, duty-free, of gift parcels which conform to regulations regarding contents and marking. To occure this advantage, the sender also should show the words "U. S. A. Gift Parcel" on the addressee side of the package and on any required customs declaration.

Section 373.31 Applicability of multiple commodity group provisions to Commodity Group 5 commodities, para-

¹This amendment was published in Current Export Bulletin No. 704, dated May 28, 1953, with the exception of Parts 4 and 6 which were published in the reprint pages, dated May 28, 1953.

graph (a) Export licensing general policy is amended in the following particulars: The last entry listed in paragraph (a)

is amended to read as follows:

Echelule B No.	Commedity description	_
•	All Ro commodities with the processing RO commodities with the processing RO commodities with the processing and MINL. Askected, cryolite.	3

4. The headnotes of § 373.34 Asbectos and § 373.35 Asbestos and carbon commeditics are amended to read respectively as follows:

a. § 373.34 Asbestos, crude and spinning fibers.

b. § 373.35 Asbestos and carbon manufactures.

The provisions of the sections remain unchanged.

5. Section 373.39 Applicability of multiple commodity group provisions to Commodity Group 6 commodities, paragraph (a) Export licensing general policy is amended to read as follows:

(a) Export licensing general policy. The following commodities within Commodity Group 6 are subject to the provicions of § 373.1.

Scholule B No.	Commodity description
601018- 601690 617701	Iron and steel comp (except tin plated and terms plated). Total incorporating industrial diamonds, n. c. c. The following RO commodities with the proceeding celes MINL or NONFE Chromium, colout, columbium, negrecium, manganers, molybel num, nickel, platinum, schmium, tentalum, tatmium, tungeten.

6. Section 373.42 Production timplate is amended as follows:

The first sentence of the section is amended to read as follows: "Production tinplate, Schedule B Nos. 604110, 604150, and 604170, will be licensed for export in accordance with the licensing policies and special provisions set forth in this section."

7. Section 373.48 Applicability multiple commodity group provisions to Commodity Group 7 commodities, paragraph (a) Export licensing general policy is amended in the following particulars:

The last entry listed in paragraph (a) is amended to read as follows:

Echedule B No.	Commodity description
********	The following RO commodities with the proceeding codes MINL or NONF: Mo lybdenum, nickel, tentalum, tungsten.

8. Section 373.59 Applicability of multiple commodity group provisions to Commodity Group 9 commodities, paragraph (a) Export licensing general policy is amended in the following particulars:

The last entry listed in paragraph (a) is amended to read as follows:

Echedule B No.	Commedity description
	All RO commodities with the precuring code COTA.

RULES AND REGULATIONS

9. Section 373.60 Military wearing apparel is amended in the following par-

a. Paragraph (b) End-use is deleted.

b. The following Note is added at the end of the section.

Note: As stated in § 371.2 (c) (1) (ii), all distinctive U. S. military insignia, buttons, and other markings must be removed from military apparel prior to exportation under any general license other than General Licenses GUS and BAGGAGE.

- 10. Section 373.65 Country Group R destinations, paragraph (a) Scope is amended in the following particulars:
- a. Subdivision (ii) of subparagraph (1) General is amended to read as follows:
- (ii) The total value, as shown on the export order covering the application, of the commodity(ies) classified in a single entry on the Positive List is less than \$500 and the shipment is not supported by a multiple-transaction statement submitted in accordance with subparagraph (3) of this paragraph. For exportation of non-Positive List commodities to Hong Kong, Macao or Subgroup A countries, the total value of the commodity(ies) classified under a single Schedule B number, as shown on the export order covering the application, is less than \$500.
- b. Subdivision (i) of subparagraph (3) Multiple-transaction statement from ultimate consignee is amended to read as
- (i) Exporters who have a continuing and regular relationship with an ultimate consignee (including but not limited to applicants having foreign branches or subsidiaries or distributors under franchise with the applicant) involving recurring orders for the same commodities to the same destinations and for the same end uses, may submit to the Office of International Trade the original or a copy of a multiple-transaction statement, executed on Form IT-843¹ and signed by a responsible official of the ultimate consignee. This statement shall cover all proposed exportations of such commodities, regardless of value (including those based on export orders amounting to less than \$500) for which applications for export licenses will be submitted to the Office of International Trade during all or any part of the period ending not later than June 30 of the year following the year during which the statement is executed. For example, a statement executed on December 15, 1953, may cover proposed exportations for which license applications are filed on or before June 30, 1954, and a state-ment executed on January 4, 1954, may cover exportations for which license applications are submitted on or before June 30, 1955.

This amendment shall become effective as of May 28, 1953.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 50 U.S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

> LORING K. MACY, Director Office of International Trade.

[F. R. Doc. 53-4866; Filed, June 5, 1953; 8:45 a. m.]

[6th Gen. Rev. of Export Regs., Amdt. 431]

Part 399—Positive List of Commodities AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

1. Section 399.1 Appendix A-Positive List of Commodities is amended in the following particulars:

a. The following commodities are added to the Positive List:

Dept. of Com- merce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vali- dated licenso re- quired	Commod- ity lists
384079 839900★	Nylon stapleOther industrial chemicals: Lithium salts and compounds	Lb. Lb.	TEXT 4 SALT	100 10	no '	В

*The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GIT (see § 371.9 (c) of this subchapter), and are subject to the dollar-limit (DL) restrictions (§ 374.2 (c) of this subchapter).

This part of the amendment shall become effective as of 12:01 a.m., June 4, 1953. b. The following commodities are deleted from the Positive List:

Dept. of Com- merce Schedule B No.		Commodity	7
63001Q	Aluminum orés and concentrates: Bauxite and other aluminum ores.	/	

This part of the amendment shall become effective as of 12:01 a.m., May 28, 1953. c. The following commodities are excepted from the General In-Transit License (GIT) procedure (§ 371.9 (c) of this subchapter) Accordingly, these commodities are identified on the Positive List by the symbol * following the Schedule B number: Accordingly, these commodities

Dept. of Com- merce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar valuo limits	Vali- dated licenso ro- quired	Commod- ity lists
664998★	Nonferrous metals and alloys in crude form, scrap, and semifabricated forms, n. e. c. (specify by name): Boron metal 1	Lb.	MINL	None	RO	A B D
664998★		Lb.	MINL	None	RO	A B D

¹ The above commodities, presently included in the last entry on the Positive List under Schedule B No. 661998, remain subject to the IC/DV procedure (§ 373.2 of this subchapter) and evidence of availability requirements (§ 373.3 of this subchapter). By this action these two commodities are also added to the list of commodities subject to the dollar-limit (DL) restrictions (§ 374.2 (e) of this subchapter), effective June 27, 1933.

This part of the amendment shall become effective as of 12:01 a.m., June 4, 1953.

da The following commodities are removed from the group of commodities excepted from the General In-Transit License (GIT) procedure (§ 371.9 (c) of Accordingly, the this subchapter) symbol * following the Schedule B number for these commodities and the footnote related thereto are deleted:

Dept. of Gom- merce Schedule B No.	Commodity
630301	Aluminum sheets, corrugated.

This part of the amendment shall become effective as of 12:01 a.m., May 28,

Shipments of any commodities removed from general license to Country Group R , Export Bulletin No. 704, dated May 28, 1953.

or Country Group O destinations as a result of changes set forth in Parts a and b of this amendment which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., June 4, 1953, may be exported under the previous general license provisions up to and including June 27, 1953. Any such shipment not laden aboard the exporting carrier on or before June 27, 1953, requires a validated license for export.

2. Section 399.3 Appendix C-Commodity Processing Codes is amended to read as follows:

§ 399.3 Appendix C - Commodity Processing Codes. The following commodity processing code symbols shall be used by applicants in preparing applications for export licenses:

¹ Forms IT-842 and IT-843 may be obtained at all Department of Commerce Field Offices and from the Office of International Trade, Department of Commerce, Washington 25, D. C. Foreign importers may obtain copies of Forms IT-842 and IT-843 from their United States exporters or from any United States Diplomatic and Consular Office abroad.

¹ This amendment was published in Current

	<u> </u>		ı –
Schedule B No.	Commedity group	Processing Code	S
	Animals, edible		-
001000-0010 001910-0019	Anımals, edible 500 993	MEAT DAPF	18
	Meat and meat products		١
002000-003 003901	509	MEAT DAPF	1
003985-0039 004010-0048	909 050	MEAT DAPF	10
004500-0049)38	MEAT	
005000-0059	Animal oil and fals, edible	FATS	17
	Dary products		
006000-0069		DAPF	20
007000-0089	Tital and fish made de	DAPF	20
-	Other edible animal products		١.,
009200-0033	20	DAPF	21 21 21
009400-0093	100	MEAT	21
•	Hides and skins raw, except furs		١
020102-0250	98	LEAT	22
030059-0359	Leather	LEAT	23
	Leather manufactures		22
060000-0693	Leather manufactures	LEAT	_
Amana a	Furs and manufactures	Maren	
			22
	umal and fish oils and greases, inedil		
` `**	98		22
	er inedible animals and animal produ		22
092300-0335	<u> </u>	TEXT	
099205		NATS	23
usss20-0393 039993	00	MEAT	24
101100 (bar	Grans and preparations ley for seed) ley, except for seed) 00. kwheat for seed): kwheat for seed): kwheat for seed) 00. s for seed). s, except for seed) 00. dy or rough rice for seed) dy or rough rice, except for seed). for seed). sexcept for seed). at except for seed). at for seed). at for seed). at for seed). Enders and teeds n a c c	SEED	25
101100 (bar 101200–1013	ley, except for seed)	CERL	20
102100 (bud 102100 (bud	kwheat for seed):kwheat, except for seed)	SEED CERL	=0
103150 103170		CERL	29
103210-1039 104100 (co.t.)	oooo	CERL	88
104100 (oats	e, except for seed)	CERL	٠
05500 (pad	dy or rough rice for seed)	SEED	30
105710-1057	50	ČĔŔĹ	20
106100 (rye,	except for seed)	CERL	30
107100 (who	at, except for seed)	CERL	33
107300-1099	J0	CERL	
10100-1192		CERL	32
	Vendables and executations edible	l	
20120-1201	40	VEGT	35
20150	peas for seed) peas, except for seed) peas for seed) pease white, for seed) pease white, except for seed) pease white, except for seed) pease white, except for seed) pease seed)	SEED SEED	33
20213 (cow	peas, except for seed)	VEGT SEED	
20215 (chic	kpeas, except for seed)	VEGT	35
20250	~~	SEED	
21100 (pot	atoes, white, for seed)	SEED	39
21300-1224	60	VEGT	37
22470 (swe 22470 (swe	etpotatoes, except for seed)	VEGT	_,
22490-1256 25911-1259	<i>N</i>	CERL	33
25920-12 59	28	VEGT	33 38
30100-1356	Fruits and preparations	VEGT	38
	•	AEGI	35
37400	Nuls and preparations	SUBT	
37510 (pea	nuts, shelled, for seed)	SEED	399 399
37550 (pea	auts, not shelled, for seed)	VĚGT	397
37610-1379	nuts, shelled, for seed)	šťš†	
			409
	Tegetable oils, fats and waxes, refined		

,		
Schedule B No.	Cemmedity group	Prosening Cello
159109-151	Coms, coffee, les, and substitutes	_ subt
154901-154	Spices 973	_ subt
161905-163	Sugar and related products	_ subt
170100-178	<i>Eaacja</i> 001	_ subt
Rubbe	r (natural, allied gums, and syntheti manufactures	(c) end
200100-200 200410 (Ito 200400-200	enson ny siata Henoritaeni).	_ RUBR _ RUBR
011032 010	Noral eleres, gums, and resins	1007
218000-218 218000-218	559 928	SUBT AGCH
000105-000	Drugs, herbs, lexes, and rects, crude	
20100-20 20300 20333 (cm	301. Ido oplum; coosa leaves and their de	AGCH
licensed 20038 (of roots)	ido oplum; cossa leaves and their di stand crude cannabls (maribuana) by Treasury Department), her crude drugs, herks, leaves an	: d Drug
	Oil ecc i s	
	Vegdable ells, fals, and waxes, erude	
223000-224 223800-227 223000	933 95\$	DRUG FATS
	Vegdable dycing and lanning extrast 173	
240100-247	Suis, exert cikeris	SEED
	Nursery and fleral sleek	
	Tobacco and manufactures	SEED
	000 Geellaneous regetal le products, inedi	L TOBO
233100		TEXT
200005_2004	Collon, unmanufactured	
300609-2013	Collon semimanufadures	техт
	Cellon manuficiures	ጥድፍጥ
	Vegdable fibers and manufadures	
320595-3499	West, unmanufedured	. TEXT
350003-0900	Weel semimanufadures	. TEXT
332203-3533	Wed manufedures	TEXT
394200-3689	Hoir and manufectures, n. e. c.	TEXT
300070-3000		TEXT
370200-3700	Silk and manufedures	. TEXT
	-made (synthetle) fibers and manufix St	
	Si. od woven plastic fabrics based en vinylidens chierida resins and es thereof. es broad woven synthetic fabrics) O.	
384930-3853	Micellaneous textile products	TEXT
	o	TEXT
397000-3299	West unmanufesturet	TEXT
400100-4033	Sacmill products	LULIB
405111-4129	9	LUMB

1		·	
	Echedule B No.	Commedity group	Processing Code
1		Wood manufadures	
1	41000-41 419194-42 421031-42 42000-42 42109-42	(10)	LUMB
i	421001-421	7200	CONT
1	420009-12	700 700 900 970	BLDG
1	421239-12		_ CDG3
	420000-420	Cork and manufactures	. Cork
1		Paper Lass stocks	
ĺ	450000-453 450000-453 450000-453	XXX	PULP
ı			
Į		laper, relaied produds and manufadu	
ı	457119-457	600 500 500	CONT
Į	437600-450	200	PULP
ı		Coal and related fuels	
١	200100-200	130	COAL
١		Parcleum and preducts	
ı	201100-201	7117	COAL
1	200000 (c	wort authorization required from	COAL
1	Federal	wort authorization required from Power Commission).	727775
J	W.Wises		reit.
ı		Sione, by frouble coment and lime	
Į	510190-517		BLDG
١	CHILIT		. AGCH
١	£21210-522	Glass and products	DI D =
١	520003	010	EDG3
ı	(23119-52)	120	SATE
ı	£23210-522	30	CONT
ı	(23719-523	190	CDGS
1	523530-523	90	CDGS
l		67-11-12-1-15-15-15-15-15-15-15-15-15-15-15-15-1	
ı	200000-200	Clay and products	MINT
l	133010-533	2.0	CDG3
I	£33310-533	(9)	ELME
J	533760-533	900	CDGS
١	237239	012	CDGS
ı			
ļ		r nonmelzille minercia (precious inclu	-
l	540000-541	565	TOOL
ı	M2923-5-6	39	MINL
l	MACON FILE		CDGS
ı	611150	1 <i>112</i>	CDGS
l	611150 611219-511 611199-512	29	TOOL
l	540930 (tro	20). 20). 30 of steel shot, chilled). 30 of steel shot, chilled). 30 of shot shot shot shot shot shot shot shot	STEE
١	542050 (cti	er metal abracives)	CDG3
1	545430-545	9	BLDG
ı	5859009-587 585990-589	719 70	TEAN
ı	547000		MINL
l	547210-547	0	MENT
ı	647470		ELME
١	MMO		init
I	Weers (de	phite present and labricante)	PETE
1	usid-un	CO	BLDG
١	£31999-£518 £71419-571	(0)	SALT
ı	17223) (mc	mocia coment)	BLDG
١	io) virgio constant	he magneria, magneria and mann-	MINL
l	gr::00	(9)	SUBT MINL CDG3 RAPA MINL COAL MINL
ı	#####################################	:	CDG3
١	295050-1950 295050-1950	79)	RAPA
l	22.025		COAL
١	Marit-Mi Marit-Mi	n pyriten enprena nyritee emda	LIML
١	callar of	Ima than 85 percent sulfur contents	G17-
ı	EDIN LILIU	or ngametallig minoral products)	THE
	£33002-£388		CDGS
	600100	Iron ore and concentrates	STEE
1	cocene	Pij tren	CTTO
L	00000		STEE
l	cainia car	ಹಿದಾ ಪಾತೆ ಬೇತೆ ಚಾಲ್ಗಾ	CATTER
١	60150 601170	Iren and skel strep	STEE TNPL STEE
l	G01170		STEE

RULES AND REGULATIONS

Schedule Commodity group	Processing Code	Schedule B No.	Commodity group	Processing Code	Schedule B No.	Commodity group	Processing Code
601201-601211	STEE BLDG		Metal manufactures—Co ung bars; lead collapsi alysts and slugs; tenapla and collapsible tubes)		709630	machinery and apparalus—	ODG8
Steel mill products, semifinished 601602–601050		cious mets	r metal manulactures, (ils) Ferroallous	xcept pre- CDGS	709690 709810-709860		ODGS NONF
602010-603145	. STEE	621303-62209 622098 (ferr censed by 622098 (othe	6othorium and ferrour Atomic Energy Commi r ferroalloys)	minm: li- ssion). MINL	insulated w 709870-709885_ 709903 (cathod 709903 (other	otive insulated wire, 100 ferubber and/or synthetic ruite and cable) or any tubes, types P1 and 1 cathodo ray tubes: lie capartment). meter-type electronic tubes urrents of less than 1.0 mic licensed by Atomio En	NONF NONF P4) ELME ensed
Castings and forgings 610000-610495		630010-63065	num ores, concentrates, s 0 per ores, concentrates, scr	NONF	709907 (electro input grid e croamperes: Commission	moter-type electronic tubes urrents of less than 1.0 mic licensed by Atomic En 1).	with romi- nergy
Railway car and locomotice wheels, tires, and a and forged) 610516-610538		640100-64290	0 alloys (including brass a semifabricated for	nd bronze), scrap and	709909 (tantal 709909 (other I tubes) 709909 (parts,	um rings)	MINL altter RARA
Metal manufactures 611200-612370	CDGS	Lead ores,	0concentrates, scrap and	semifabricated forms	709998	tubes n. o. o.)	ELME
613910-613830 614310-015298 616310-015350 616517-61550 616593-617898	BLDG CDGS TOOL	Nickel o	res, concentrates, and sen	ifabricated forms	711110-711310 711410 711510	for water wheels and water	GIEQ
617901. 617903 (tungsten carbide inserts for tools) 617903 (tungsten carbide inserts for rock drill bits)	TOOL TOOL MINE	656501-65651	oncentrates, scrap and 9 concentrates, scrap and	NONF	bines) 711900 (parts - D. e. c.) 713200-713920	for steam engines and tur	olnes, GIEQ
617905 (molybdenum tool bit blanks) 617905 (other tool bit blanks) 617910-618150 618210 618230	STEE BLDG STEE	Othe	5 r nonferrous ores, concent mifabricated forms (excep	rates, scrap and	716000	, excavating, mining and relat	led machinery
618261 618263-618265 618267	STEE BLDG STEE BLDG	664514	2	NONE	720147 (dredgi 720160 (power 720160 (dredgi 720210 (parts,	ng machines now) 1 coxcavators, used and rebui ng machines, used and rebu accessories and attachmen rators)	MINE it) CONS iit) MINE ts for
618271 618273-618855 61853-618859 618910 618920	STEE BLDG	664598 (carn and uran Commissi	otite ore, monazite sand lum: licensed by Atom on).	s, thorium ic Energy	720210 (parts, dredging ma 720240 720310-720490	accessories and attachmen accessories and attachmen achines)	ts for MINE CONS
618930-618951 618957 618959 (aluminum, copper, lead, and zme) 2 618959 (other metal) 618903-618903-618903-618903	NONF NONF CDGS STEE	trates) 664998 (thori	er nonferrous ores an um metals and alloys an ensed by Atomic Ene	d uranium MINL	722030 (attach 722030 (attach ing tractors)	ments for wheel-type tracte ments for trucks and track	ors) AGMT
618974	STEE BLDG STEE BLDG	664998 (othe Pre	r nonferrous metals and coous metals and plated t 0 (Licensed by Treasur	vare, n. e. c.	wheel-type 722045 (other equipment) 723010-723080	tractor attachments) construction and mainter	AGMT IGHCO CONS
618934-618985 CHS986 018987- 618983-618991 618992-618993	BLDG NONF CDGS	ment). 681950-69299 695610-69971	0 0 Electrical machinery and d	MINL ODGS	725003-725020- 725035 725050		CONS
018994 018995-018996 019911 019912 (milk cans) 019912 (other filled shipping containers)	. GIEQ . CDGS . STEE	700000-70120 701300 701400 701600-70180	0	ELME TRAN ELME CDGS		Machine tools and parts	
019021 019022 (milk cans) 019022 (steel shipping containers, unfilled, ex- cept milk) 019022 (other shipping containers, unfilled)	STEE CONT STEE	701910-70230 702310 702320-70430 704330	0	ELME CDGS ELME TRAN	750050-754900. 755105-755107. 755205-757500.		OTEO ODGA GIEO
619031-619033 619034 619039 (cobalt; molybdenum; tungsten, including carbide) 619039 (other metals)	STEE NONE	705560 (elec tives, und 705560 (elec motives, s	tric mining and induserground type)	trial loco- trial loco- TRAN		er industrial machines and 1	
619047 619051 619052-6190535 619054-619055	BLDG NONF BLDG	705715-70655 706590 706600 706812-70738	5	ODGS MINL ELME ODGS	766995 (radia censed by A 766995 (other pecting equi	tion detection instrumen tomic Energy Commission geophysical and mineral pment)	is: il-). pros- MINE
619056. 619057. 619058. 619059.	. CDGS . STEE . CDGS	707505-70750 707550 (prot genometer Commissi	9 eximeters, dosumeters, s s: licensed by Atomi on).	and roent- c Energy	769320 (water- 769320 (other 1 770400-770775	lubricated bearings, rubber pearings and parts)	OLEO CONS
019061 019063 019065 019066 019067-019120 019130-019140	ODGS STEE NONF	707613-70762 707630 (licen 707635-70781	sed by State Departme 5 sed by State Departme 0	it). RARA	ergy Comm 770870 (other of 770900-770970	inster: licensed by Atomic ission). liffusion vacuum pumps)	CONS
619161-619167 619168		708460-70890 709020 (licen	oosed by State Departmen osed by State Departmen sed by State Departmen	it).	770975 770980 770995 (parts and diffusion	for mechanical vacuum pun vacuum pun	OONS GIEQ
619861 619861 019803-019865 619910 (punchings, fron and steel, except elec- trical steel; steel shot: flexible tubung, excent	PRIN BLDG ODGS	709220 709419-70949 709495 (alum	0	TRAN BLDG	pumps)	or other pumps)	TRAN CONS GIEO ODOS
619916 (Ipunchings, iron and steel, except elec- trical steel; steel shot; flexible tubung, except electrical; stainless steel packing; and tubular steel scaffolding equipment)	STEE ODGS GIEQ	distributio 709500-70960 709610 709620	er pole line, transmi on hardware)	ELME BLDG CDGS BLDG	¹ Some of the tion by Mari subchapter).	eso commodities require ex time Administration (see	port authoriza- § 370.7 of this

Schedule B No.	Commodity group	Processing Code	Schedule B No.	Commodity group	Preserving Code	Echo Iuli B No.	Commedity group	Proximag Cods
Other 2:	idustrial machines and parts—Co	ntinued	- 	Chemical specialties—Contin	u~10		cigraphia and projection gos	da
775043-77504	.9	MINE	\$23550 (other	r textile creefalty compound mated exteroil)	e) SALT	2001/010 2001/010 (Manned	1 by State Department). 1 by State Department).	FILM
775080 775030		MINE	823999 (Oth 823999-8250	er tanning compounds)	SALT	64.0202 (for not	d by Stata Department).	FILM
775100-77513 775210-77593	9	MINE GIEQ	825100-82721 827000-82200	0 0	RESN			
	Office machines and parts		829100 829200		CDGS FATS	914200-014013	professional instruments, op supplies, n. e. e. virgical sounding behoomen increased and increased by At- aracteristic for the control of the recting and the concel by At- aracteristic for the control of the amicropal	SATE
			823300-82340 823510-82350	9 9	PLAT ORGN	916000. 916200-915500.		CDGS SATE
	Printing and bookbinding machiner		82355-82335 82355-82335	J	NATS SUBT	015019-616050. 015010 (meteor	vissical sounding belicons).	SATE
	ultural machines, implements and		\$23310-\$2333 \$23310-\$2333	<u></u>	COTA	910019 (other :	motoprological inctruments,	and SATE
	0		829300 829300	V	orgy	Encry Cor	postrometers: licenced by Atomatician).	omic
	Tractors, parts and accessories		\$29950 \$29970 (ther	umand umnium marantsille	NATS	912C30 (magg	rectroprotometers) rectropropho:Econced by At	SATE
787310-78759 787610-78793	70	_ CONS _ AGMT	by Atomi 829070 (sodi	e Energy Commission). um bismuthate)	prug	016000 (other c	ptical measuring instrumen	t) SATE
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This part of the amendment shall become effective as of May 28, 1953.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY, Director Office of International Trade.

[F. R. Doc. 53-4867; Filed, June 5, 1953; 8:45 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 249—FORMS PRESCRIBED UNDER THE SECURITIES EXCHANGE ACT OF 1934

INSTRUCTION BOOKS FOR FORMS FOR COM-PANIES MAKING CERTAIN ANNUAL REPORTS

On March 9, 1953, the Securities and Exchange Commission announced that it had under consideration certain proposed amendments to the instruction books for annual report Forms 12-K and 12A-K (17 CFR 249.312 and 249.-312a) under the Securities Exchange Act of 1934. The Commission has now considered all of the comments and suggestions received and has determined that the amendments should be adopted in the form set forth below.

The purpose of the amendments is to discontinue the provisions of those forms which permitted companies reporting to the Interstate Commerce Commission on its Form A to file certain selected schedules of such forms with their annual reports to the Securities and Exchange Commission on Form 12-K and 12A-K, in lieu of filing complete copies of their Form A reports. The Commission found that this procedure was followed by a very limited number of companies and necessitated the annual reexamination by the Commission of the list of schedules so as to conform to changes made in Form A by the Interstate Commerce Commission.

Statutory authority. This action is taken pursuant to the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, the Commission deeming such action necessary and appropriate in the public interests and for the protection of investors and necessary to carry out its functions under the act.

Text of amendments. The Instruction Books for Forms 12-K and 12A-K are amended as follows:

I. The Instruction with respect to Exhibit A is amended to read as follows:

A copy of the Annual Report of the registrant on a separate or on a system basis, as filed with the Interstate Commerce Commission or the Federal Communications Commission for the fiscal year ended on the preceding December 31st.

II. Paragraph (1) of the Instructions as to Exhibit B is amended to read as follows:

(1) A copy of the Annual Report to the Interstate Commerce Commission or to the Federal Communications Commission for the fiscal year ended on the preceding December 31st of each affiliated company (not included in a system report filed under the requirements as to Exhibit \$\Delta\$) which makes such report and which is controlled directly or indirectly by the registrant (including all "fifty percent owned subsidiaries"). A company shall be deemed a "fifty percent owned subsidiary" if the registrant and/or one or more fifty percent or majority owned subsidiaries of the registrant own directly securities of such company representing in the aggregate fifty percent of the voting power, other than as affected by events of default.

III. Instruction 3 of the Instructions as to Exhibits is amended to read as follows:

3. A copy of the registrant's annual report to stockholders for the comparable period shall be filed as an exhibit to each copy of Form A. If annual reports to stockholders are not published, that fact should be stated.

The foregoing amendments shall be effective with respect to all reports on Forms 12-K or 12A-K filed on or after July 1, 1953.

(Sec. 23, 48 Stat. 901, as amended; 15 U. S. C. 78w. Interpret or apply sec. 15, 48 Stat. 895, as amended; 15 U. S. C. 780)

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

MAY 29, 1953.

[F. R. Doc. 53-5050; Filed, June 5, 1953; 8:48 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter A—General [CGFR 53-17]

PART 8—REGULATIONS, UNITED STATES
COAST GUARD RESERVE

PROMOTION

By virtue of the authority contained in Section 251 of the Armed Forces Reserve Act of 1952 (Pub. Law 476, 82d Cong.), the following amendments of the regulations are hereby prescribed, to be effective upon publication in the Federal Register.

The amendments reflect a recent grant of authority from the Secretary of the Treasury to the Commandant, United States Coast Guard, to convene coast Guard boards for recommending officers for promotion, and to take final action on the recommendations of such boards.

PROMOTION

1. Section 8:3106 is amended to read as follows:

§ 8.3106 Approval of reports of promotion boards. The report of each promotion board shall be submitted to the Commandant for his approval or disapproval. In case any officer or officers recommended by a board for promotion are not acceptable to the Commandant, the Commandant's final action will disapprove their selection for promotion.

2. Section 8.3107 is amended to read as follows:

§ 8.3107 Promotion lists. The recommendations of promotion boards, as

approved by the Commandant, will constitute promotion lists from which promotion of officers of the Reserve will be made, subject to establishment of physical qualification and verification that service subsequent to the convening of the promotion board has remained of satisfactory character. Officers on a promotion list will remain thereon until promoted unless removed by the Commandant for due cause.

3. Section 8.3109 is amended to read as follows:

§ 8.3109 Promotion after failing of selecting. The name of an officer; who has been considered by one or more promotion boards without his being placed on any resulting promotion list, shall be submitted to succeeding promotion boards for so long as he remains on extended active duty or in the Ready Reserve or in the Standby Reserve in an active status. If he is recommended by any succeeding promotion board, and such recommendation is approved by the Commandant, he shall be tendered a promotion in the next higher grade as provided in § 8.3108.

(Sec. 204, 55 Stat. 11; 14 U. S. C. 304)

[SEAL] H. CHAPMAN ROSE, Acting Secretary of the Treasury. May 6, 1953.

Concurred in: May 22, 1953.

R. B. Anderson, Secretary of the Navy.

[F. R. Doc. 53-5066; Filed, June 5, 1953; 8:51 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 13—ADMISSION, GUIDE, ELEVATOR, AND AUTOMOBILE FEES

MISCELLANEOUS AMENDMENTS

1. Section 13.11 Guide fees; miscellaneous is amended to read as follows:

§ 13.11 Guide fees; miscellancous. A guide fee shall be charged each person taking a guided trip through the following areas:

2. Section 13.13 Admission fees; miscellaneous is amended by adding to the end of paragraph (a) the following:

Aztec Ruins National Monument..... \$0.25 Tumacacori National Monument..... 25

3. Paragraphs (a), (b), and (c) of § 13.15 Fees for automobiles, motorcycles, and trailer permits are amended to read as follows:

§ 13.15 Fees for automobile, motor-cycle, and trailer permits. (a) Any 15-day permit may be exchanged for an annual permit for the same vehicle at any time prior to the expiration date of the 15-day permit, and the purchase

price of the 15-day permit will be allowed in the exchange. Fees for automobile permits are as follows:

		
	Yearly permit	
D 0 17 17 17 17 17		
Bryce Canyon National Park (fees include admission to both Bryce	ļ .	1
Canyon and Zion National	1	ł
Parks)	\$2.00	S1.00
Crater Lake National Park	2.00	1.00
Glacier National Park	2.00	1.00
Grand Canyon National Park	2.00	1.00
Grand Teton National Park (fee		
paid may be applied to purchase	0.00	
of Yellowstone permit)	2.00 2.00	1.00
Lassen Volcanic National Park Mesa Verde National Park	2.00	1.00 1.00
Mount Raimer National Park	200	1.00
Rocky Mountain National Park	200.	1.00
Sequoia-Kings Canyon National		
Parks	2.00	1.00
Shenandoah National Park and		
the section of the Blue Ridge		
Parkway between Jarman Gap		
and Rockfish Gap	1.00	1.25
Yellowstone and Grand Teton National Parks	6.00	3.00
Yosemite National Park	4.00	2.00
Zion National Park (fees include	#W	200
admission to both Zion and		
Bryce Canyon National Parks)	2.00	1.00
Bandelier National Monument	1.00	.50
Colorado National Monument	1.00	.50
Craters of the Moon National		
_ Monument	1.00	03
Devils Tower National Monument	1.00	.03.
Lava Beds National Monument	1.00	.50
Petrified Forest National Monu-	1.00	.50
ment Pinnacles National Monument	1.00	.50
Scotts Bluff National Monument.	-50	.25
White Sands National Monument	1.00	.50
Blue Ridge Parkway between		,-05
Adney Gap. Va., and Deep		
Gap, N. C., and between Bea-		ł
con Heights, N. C., and Mc-		
con Heights, N. C., and Mc- Kinney Gap, N. C.	1.00	1.25
	l	

¹ Per trip.

(b) Fees for motorcycle permits are as No. 5-Scenic____ follows:

TOHOWS.		
	Yearly permit	15-day per- mit unless otherwise stated
Bryce Canyon National Park (fees include admission to both Bryce Canyon and Zion National Parks). Crater Lake National Park Glacier National Park Grand Canyon National Park Grand Teton National Park (fee paid may be applied to purchase of Yellowstone permit). Lassen Volcame National Park. Mess Verde National Park. Mount Ramier National Park. Mount Ramier National Park. Sequota-Kings Canyon National Park. Sequota-Kings Canyon National Park. Sepuota-Kings Canyon National Park and the section of Blue Ridge Park way between Jarman Gap and Rockfish Gap. Yellowstone and Grand Teton National Parks. Zion National Park. Zion National Park (fees include admission to both Zion and Bryce Canyon National Parks. Bandelief National Monument. Colorado National Monument. Colorado National Monument. Craters of the Moon National Monument. Lava Beds National Monument. Lava Beds National Monument. Petrified Forest National Monument. Pinnacles National Monument. Pinnacles National Monument. White Sands National Monument. Biue Ridge Parkway between Adney Gap, Va, and Deep	1.00 2.00 2.00 2.00 2.00 2.00 2.00 2.00	\$1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00
Gap, N. C., and between Becon Heights, N. C., and Mo- Kinney Gap, N. C.	1.00	1.25

¹ Per trip.

as follows:

	Yearly parmit	15-day per mit uniors etherwics rtated
Bryce Canyon National Park (fees include admission to both Bryce Canyon and Zien National Parks). Crater Lake National Park. Glacier National Park. Glacier National Park. Glacier National Park. Grand Canyon National Park (fees may be applied to purchase of Yellowstone permits). Lassen Veleanie National Park. Messa Verde National Park. Mount Rainier National Park. Seeky Mountain National Park and the section of Blue Ridge Parkway between Jarman Gap and Rockfich Gap. Yellowstone and Grand Teton National Parks (fees include admission to both Zion and Bryce Canyon National Parks). Bandeller National Monument. Colorado National Monument. Colorado National Monument. Craters of the Mach National Monument. Devils Tower National Monument. Planacles National Monument. Planacles National Monument. White Sands National Monument. White Sands National Monument. Blue Ridge Parkway between Adney Gap, N. C., and between Beacon Heights, N. O., and McKin-ney Gap, N. O., and McKin-ney Gap, N. O., and McKin-	\$288 \$2888 \$ 88 \$88 \$888 \$ \$111111 \$ 12 \$111 \$1111	\$1.60 1.00 1.00 1.00 1.00 1.00 1.00 1.00
ney dup, iv. O	3.63	_

¹ Per trip.

4. Section 13.16 Guide fees for Mammoth Cave is amended by adding to the end of the table, the following:

5. These regulations shall be effective on and after June 8, 1953.

(Sec. 3, 39 Stat. 535, as amended; 16 U.S.C. 3)

Issued this 1st day of June 1953.

RALPH A. TUDOR. Acting Secretary of the Interior

[F. R. Doc. 53-5039; Filed, June 5, 1953; 8:46 a: m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I-Bureau of Land Management, Department of the Interior

Appendix-Public Land Orders

[Public Land Order 896]

ARKANSAS

WITHDRAWING RESERVED MINERALS IN CER-TAIN PATENTED LAND IN CONNECTION WITH THE CONSTRUCTION OF THE NARROWS RESERVOIR PROJECT, LITTLE MISSOURI

By wirtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F. R. 4831) it is ordered as follows:

The minerals in the following-described patented land in Arkansas, reserved to the United States under the act of December 22, 1928 (45 Stat. 1069; 43 U.S. C. 1068), are hereby withdrawn from disposition under the mining laws

(c) Fees for house trailer permits are and the mineral-leasing laws, and reserved in connection with the construction of the Narrows Reservoir Project. Little Micsouri River, under the supervision of the Department of the Army as authorized by the act of August 18, 1941 (55 Stat. 638, 33 U.S. C. 701b; and 55 Stat. 645)

FIRTH PRINCIPAL MERIDIAN

T. 6 S., R. 25 W.,

Sec. 30, lot 3 of NW14.

The area described contains 43.50 acre

It is intended that the minerals in theabove-described lands shall be returned to the administration of the Department of the Interior if and when there is no longer a need for their reservation as herein provided.

ORDE LEWIS.

Assistant Secretary of the Interior.

June 2, 1953.

[F. R. Doc. 53-5038; Filed, June 5, 1953; 8:45 a. m.]

TITLE 47-TELECOMMUNI-**CATION**

Chapter I—Federal Communications Commission

[Docket No. 10381]

PART 3-RADIO BROADCAST SERVICES

TELEVISION BROADCAST STATIONS; RESCIS-SION OF ASSIGNMENT

In the matter of amendment of § 3.606 Table of assignments, rules governing television broadcast stations; Docket No.

1. The Commission has before it (1) a petition for reconsideration and request for stay of the report and order (FCC 53-381) in the above-entitled matter, and (2) a supplemental petition for reconsideration and further request for stay, filed by Daily Telegraph Printing Company, Bluefield, West Virginia on April 23, and May 1, 1953 respectively (3) replies to these pleadings filed by Robert R. Thomas, Jr. on May 6, 1953; (4) a petition for reconsideration or rehearing filed by WCAE, Inc., Pittsburgh, Pennsylvania filed on April 28, 1953; and (5) a reply thereto filed by Robert R. Thomas, Jr., on May 8, 1953.

2. In the above-mentioned report and order (FCC 53-381) adopted April 1, 1953, the Commission, following proposed rule making and consideration of comments, amended the Table of Television Assignments so as to assign VHF Channel 4 to Fayetteville, West Virginia. On April 24, 1953 Robert R. Thomas, Jr. filed an application for a new television station for that channel at Oak Hill, West

^{*}Daily Telegraph Printing Company requested the assignment of Channel 6 to Bluefield, West Virginia, the substitution of Channel 4 for Channel 6 at Beckley, West Virginia and the removal of the Zone 1 line to as to include the entire State of West Vir-ginia within this Zone. This request was denied in a Memorandum Opinion and Order adopted September 10, 1952 (FCC 52-1050)

Virginia, a community within 15 miles of Fayetteville. (BPCT-1705)

3. In its petition for reconsideration and request for stay, Daily Telegraph Printing Company requests that the Commission (1) reconsider and rescind the above-mentioned report and order (FCC 53-381) (2) grant the relief requested in its opposition to the proposal to assign Channel 4 to Fayetteville, West Virgima, and (3) stay the effective date of the Report and Order pending decision on the instant petition.

4. In its supplemental petition for reconsideration and further stay, Daily Telegraph Printing Company requests that the Commission stay action on the application filed by Robert R. Thomas, Jr., alleging that the assignment of Channel 4 to Fayetteville makes available an assignment for Oak Hill even though the Commission had determined that an assignment to the latter community was precluded by the one year rule.

'ment to Fayetteville was based in large part on Robert R. Thomas, Jr.'s representation as to the need for a station in Fayetteville. But on April 24, 1953, less than one month from the Commission's adoption of the assignment of Channel 4 to Fayetteville, and prior to the effective date of that assignment, Robert R. Thomas, Jr.'s representation as to the need for a station in Fayetteville. But on April 24, 1953, less than one month from the Commission's adoption of the assignment of Channel 4 to Fayetteville, and prior to the effective date of that assignment, Robert R. Thomas, Jr., filed an application filed by Robert R. Thomas, Jr., alleging that the assignment of Channel 4 to Fayetteville, and prior to the effective date of that assignment, though the Commission that the Commission stay action on the assignment of Channel 4 to Fayetteville, and prior to the effective date of that assignment, Robert R. Thomas, Jr., filed an application filed by the one year application from the Commission and prior to the effective date of that assignment, Robert R. Thomas, Jr., filed an application filed by the one year adoption of the assignment of Channel 4 to Fayetteville, and prior to the effective date of that assignment, Robert R. Thomas, Jr., filed an application filed by the one year adoption of the assignment of Channel 4 to Fayetteville, and prior to the effective date of that assignment, and prior to the effective date of the assignment to the eff

5. In its petition for reconsideration or rehearing WCAE contends that the Commission misconstrued the position taken by WCAE in its opposition to the proposed assignment of Channel 4 to Fayetteville. WCAE asserts that its opposition was based on the alleged fact that sites in the area of Irwin, Pennsylvania would not be available to permit Channel 4 to be used at Irwin with antenna heights authorized and encouraged by the Commission's Sixth Report and Order. WCAE further argues that the Sixth Report intended to permit the use of channels in Zone I with maximum height above average terrain and that the Commission rejected so-called "sec-

ond class assignments" with limited

antenna heights.

6. Robert R. Thomas, Jr., originally requested the assignment of Channel 4 to Oak Hill, West Virginia. However, this request was denied by the Commission in its memorandum opinion and order of September 10, 1952, since it could not receive consideration during the one-year waiting period specified by § 3.609. On January 7, 1953, Robert R. Thomas, Jr., then filed his request in the instant proceeding seeking the institution of rule making proceedings to assign VHF Channel 4 to Fayetteville, West Virginia, an assignment that could receive consideration. In his petition Robert R. Thomas, Jr., alleged, among other things, that he proposed "to file a television application requesting the use of VHF Channel 4 at Fayetteville" and that since no channels were assigned to that community, he was seeking the assignment of a channel. Petitioner contended that a "fair, efficient and equitable distribution of frequencies as required by section 307 (b) of the Communications Act makes mandatory the assignment of a television channel to Fayetteville." On April 8, 1953, the Commission released its report and order (FCC 53-381) assigning Channel 4 to Fayetteville. In that report and order we stated:

Our decision with respect to this assignment must be determined on the basis of the needs of the persons in the area for television service and the competing needs of other communities for television service. The record in these proceedings establishes the need for the first assignment to Fayetteville * *

However, our conclusion that the record establishes the need for the first assign-'ment to Fayetteville was based in large part on Robert R. Thomas, Jr.'s representation as to the need for a station less than one month from the Commission's adoption of the assignment of Channel 4 to Fayetteville, and prior to the effective date of that assignment, Robert R. Thomas, Jr., filed an application (BPCT-1705) for a station not in Fayetteville, but in Oak Hill, a community within 15 miles of Fayetteville. It appears, therefore, that Robert R. Thomas, Jr., merely filed his request for the assignment of Channel 4 to Fayetteville as a means of obtaining a station in Oak Hill since an assignment to Oak Hill itself was precluded by the one year rule. It is our view, therefore, that the assignment of Channel 4 to Fayetteville was requested in order to circumvent the Commission's one year rule. We cannot condone the use of our processes to this end.

- 7. In view-of our decision herein it become unnecessary to discuss the other contentions raised in the pleadings of Daily Telegraph Printing Company and WCAE, Inc.
- 8. In view of the foregoing, our action of April 1, 1953 (FCC 53-381) assigning VHF Channel 4 to Fayetteville, West Virginia is rescinded; and the request of Robert R. Thomas, Jr., for the assignment of Channel 4 to Fayetteville, West Virginia, is denied.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 301, 48 Stat. 1081, sec. 303, 48 Stat. 1082, as amended, sec. 307, 48 Stat. 1084; 47 U. S. C. 301, 303, 307)

Adopted: May 27, 1953. Released; May 29, 1953. By the Commssion.³

> Federal Communications Commission, T. J. Slowie,

[SEAL] T. J. SLOWIE, 5 Secretary.

[F. R. Doc. 53-5064; Filed, June 5, 1953; 8:50 a. m.]

[Docket No. 10308]

PART 8—STATIONS ON SHIPBOARD IN THE MARITIME SERVICE

ADDITIONS TO AND DELETIONS FROM LIST OF AVAILABLE FREQUENCIES

In the matter of amendment of Parts 7 and 8 of the Commission's rules to delete authority of ship telephone and ship

telegraph stations and coast stations to operate on certain frequencies and to make available an additional frequency for ship telephone stations; Docket No. 10308.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of May 1953.

The Commission having under consideration its proposals in the above-entitled matter; and

It appearing, that in accordance with the requirements of section 4 (a) of the Administrative Procedure Act, notice of proposed rule making in this matter which made provision for the submission of written comments by interested parties, was duly published in the Feneral Register on August 16, 1952 (17 F R. 7511) and that the period for the filing of comments has now expired; and

It further appearing, that, although the proposed amendments to Part 7 of the Commission's rules have heretoforo been finalized by the Commission Order adopted February 25, 1953, the proposed amendments to Part 8 relating to deletion of the ship radiotelephone frequency 8830 kc and the provision of a substitute frequency were held in abeyance pending critical in the related Docket No. 10377; and

It further appearing, that on May 8, 1953, the Commission issued a report and order in Docket No. 10377 which finalized a plan of assignment for the maritime mobile service of radiotelephony in the frequency bands between 4000 and 18000 kc which, among other matters, provided for the deletion of the ship frequency 8830 kc and the availability of the ship frequencies 8262.3 kc and 8219.7 kc on dates to be specified in later proceedings; and

It further appearing, that, in accordance with the Geneva (1951) Agreement, the frequency 8830 kc should be deleted by June 1, 1953 in order to permit the bringing into use of the aeronautical mobile (R) service frequency assignment of 8828.5 kc; and

It further appearing, that comments submitted in August and September, 1952 in connection with the proposed deletion of the frequency 8830 ke in Docket No. 10308 did not object thereto but stated that a certain minimum amount of time would be necessary to accomplish "final implementation"; and

It further appearing, that information now before the Commission indicates that during the past several months various steps have been taken by the station licensees involved which now make feasible the finalization of the proposed deletion: and

It further appearing, that in view of the urgency of this matter, compliance with the requirement of section 4 (c) of the Administrative Procedure Act is impracticable and the amendments herein ordered should be made effective June 1, 1953:

It is ordered, That, pursuant to the provisions of sections 303 (c), (f), and (r), of the Communications Act of 1934, as amended, and effective June 1, 1953,

²The petition of Robert R. Thomas, Jr., for the assignment of Channel 4 to Oak Hill, West Virginia, by removal of the Zone 1 line and waiver of the "one year rule" was denied by the Commission in Memorandum Opinion and Order on September 10, 1952 (FCC 52– 1050).

^{*}Commissioners Webster and Sterling not participating.

Part 8 of the Commission's rules is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; 47 U.S. C. 303)

Released: May 29, 1953.

FEDERAL COMMUNICATIONS COLIMISSION,

[SEAL]

T. J. SLOWIE, Secretary.

deleting from the list of frequencies the frequency 8830 kc and inserting therein the frequencies 8262.3 kc and 8219.7 kc.

2. Section 8.355 (a) (1) is amended by deleting from the list of frequencies immediately following the first paragraph of subparagraph (1) the following frequency.

8830 kc

1. Section 8.351 (a) is amended by and by inserting therein the following frequencies:

> 53 8262.3 kg 54 8219.7 Ltc

and by adding thereto a footnote 5a to read as follows:

54 For use in communication with public coast stations located in the vicinity of New York, New York.

[F. R. Doc. 53-5065; Filed, June 5, 1953; 8:51 a. m.1

Proposed rule making

DEPARTMENT OF AGRICULTURE Bureau of Animal Industry [9 CFR Part 76]

SWINE AND SWINE PRODUCTS

RESTRICTION OF INTERSTATE MOVEMENT BECAUSE OF VESICULAR EXANTHEMA

On April 22, 1953, a notice was published in the FEDERAL REGISTER (18 F R. 2342) in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture, pursuant to the authority vested in him by sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 123 and 125) sections 1 and 2 of the act of February 2, 1903, as amended (21 U.S. C. 111 and 120) and section 7 of the act of May 29, 1884, as amended (21 U.S. C. 117) was considering amending Subpart B of Part 76, Title 9, Code of Federal Regulations, as set forth in such notice. After consideration of the data, views, and arguments submitted pursuant to such notice and of the views expressed by the Advisory Committee on Vesicular Exanthema. it has been determined that the proposed amendment should be modified in certain respects. Notice is hereby given in accordance with said section 4 (a) of the Administrative Procedure Act that the Secretary of Agriculture, pursuant to the authority referred to above is now considering amending said Subpart B to read as follows:

SUBPART B-VESICULAR EXANTHEMA

§ 76.25 Definitions. As used in this subpart, the following terms shall have the meanings set forth in this section.

(a) Administrator. The Administrator of the Agricultural Research Administration, United States Department of Agriculture, or any other official of such Administration to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(b) Bureau. The Bureau of Animal Industry, Agricultural Research Administration, United States Department of Agriculture.

(c) Chief of Bureau. The Chief of the Bureau or any other official of the Bureau to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(d) Garbage. Waste consisting in whole or in part of animal waste result- part or offal of swine.

ing from handling, preparing, cooking, and consuming of food including the offal from animal carcasses or parts therebut excluding such waste from ordinary household operations which is fed directly to swine on the same premise.

(e) Raw garbage. Garbage that has not been heated throughout to boiling or equivalent temperature (usually 212° F. at sea level) for 30 minutes, or heated according to a method specifically approved by the Chief of Bureau.

(f) Cooked garbage. Garbage that has been heated throughout to boiling or equivalent temperature (usually 212) F. at sea level) for 30 minutes, or heated according to a method specifically approved by the Chief of Bureau.

(g) Quarantined area. A State or area quarantined because of vesicular exanthema.

(h) Non-quarantined area State or area not quarantined because of vesicular exanthema.

(i) State. State, Territory, or the District of Columbia.

(j) Interstate. From one State into or through any other State.

(k) Person. Any person, company or corporation.

(1) Moved or movement. As applied to swine, the term "moved" or "movement" means transported, shipped, delivered or received for transportation, driven on foot or caused to be driven on foot, by any person, and as applied to swine products, the term "moved" or means transported. "movement" shipped, or delivered or received for transportation, by any person.

(m) Public stockyard. A stockyard where trading in livestock is carried on; where yarding, feeding, and water facilities are provided by the stockyard, transportation, or similar company; and where Federal inspection is maintained for the inspection of livestock for communicable diseases.

(n) Clean stockyard. A public stockyard at which Bureau inspection service is maintained and which is found by the Chief of Bureau to be free from the infection of vesicular exanthema.

(o) Special *processing. Subjecting swine products to heat treatment in accordance with the requirements contained in § 76.34.

· (p) Swine product. Any carcass,

(q) Vesicular exanthema. The contagious, infectious, and communicable disease of swine commonly known as vesicular exanthema.

§ 76.26 Notice relating to existence of the contagion of vesicular exanthema and to regulations governing movement of swine and swine products. Notice is hereby given that the Secretary of Agriculture has reason to believe that the contagion of vesicular exanthema exists within and throughout the United States, and that raw garbage is one of the primary media through which such contagion is disseminated. Since June 16, 1952, vesicular exanthema has been diagnosed in 42 States. In those mstances in which it was possible to trace the infection to its source, it was traced, almost without exception, to swine fed on raw garbage, even in cases of infection by contact. Virus-infected meat scraps in raw garbage carry the disease into herd after herd at great loss to livestock owners, the packing industry, and the consuming public. The contagion of such disease is extremely virulent and experience with the disease shows that such contagion is disseminated very rapidly. Therefore, in order to more effectually suppress and extirpate vesicular exanthema, to prevent the spread thereof, and to protect the livestock industry of the United States, the regulations in this subpart governing the interstate movement of swine and swine products are promulgated.

§ 76.27 Designation of States or areas in which swine are affected with resicular exanthema; quarantine thereof and notice with respect thereto. The Administrator is hereby authorized to designate the States or areas therein in which swine are affected with vesicular exanthema. Upon said designation each such State or area shall be quarantined until the Administrator finds that swine in such State or area are no longer affected with the disease and that the quarantine is no longer required to prevent the dissemination thereof. The Administrator is hereby further authorized to give notice, including publication in such newspapers as he may select, of the fact that swine in any State or area therein are affected with vesicular exanthema, of the quarantine of such State or area, and of the rules and regulations promulgated with respect thereto. § 76.28 General restrictions. Swine or swine products may not be moved interstate except as provided in the regulations in this subpart.

§ 76.29 Movement of swine products which are specially processed or derived from swine slaughtered prior to July 25, 1952. Swine products which are specially processed and swine products identified by warehouse receipts or other information satisfactory to the Chief of Bureau as having been derived from swine that were slaughtered prior to July 25, 1952, may be moved interstate without restriction under this subpart.

§ 76.30 Movement of swine and swine products from a non-quarantined area—
(a) Movement of swine not fed raw garbage. (1) Swine which have not been fed any garbage and which are not and have not been affected with or exposed to vesicular exanthema and swine products derived from such swine may be moved interstate from a non-quarantined area without restriction under this subpart.

(2) Swine which have been fed cooked garbage to the exclusion of any raw garbage and which are not and have not been affected with or exposed to vesicular exanthema may be moved interstate under this subpart from a non-quarantined area if accompanied by a certificate signed by an inspector of the Bureau, an inspector employed by the State of origin of the swine, or other inspector who may be approved by the Chief of Bureau for this purpose, stating that as far as he has been able to determine such swine have not been fed any raw garbage and have not been exposed to vesicular exanthema and that a visualinspection of all swine on the premises of origin just prior to movement therefrom disclosed no indication of vesicular exanthema.

(b) Movement of swine products derived from swine not fed raw garbage. Swine products derived from swine which had not been fed any raw garbage and which had not been affected with or exposed to vesicular exanthema may be moved interstate from a non-quarantined area without restriction under this subpart.

(c) Movement of swine fed raw garbage. (1) Swine which have been fed any raw garbage may be moved interstate under this subpart from a nonquarantined area to an establishment specifically approved for the purpose by the Chief of Bureau for immediate slaughter and special processing at such establishment if accompanied by a permit obtained by the owner or shipper from an inspector of the Bureau, an inspector employed by the State of origin of the swine, or other inspector who may be approved by the Chief of Bureau for this purpose, and a certificate of a veterinarian stating that veterinary inspection of such swine on the premises of origin just prior to movement disclosed no evidence of vesicular exanthema.

(2) During the period of six months following the effective date of the regulations in this subpart, swine which have been fed raw garbage but which, for a period of 30 consecutive days just prior to the interstate movement, have been

fed cooked garbage or other feeds to the exclusion of any raw garbage, which have been kept on a premise on which no raw garbage has been fed to swine during such 30 day period, and which have not come in contact with swine fed any raw garbage during such 30 day period, may be moved interstate under this subpart from a non-quarantined area if accompanied by a certificate signed by an inspector of the Bureau, an inspector employed by the State of origin of the swine, or other inspector who may be approved by the Chief of Bureau for this purpose, stating that as far as he has been able to determine such swine have been fed cooked garbage or other feeds to the exclusion of any raw garbage for a period of 30 consecutive days just prior to the interstate movement and that a visual inspection of all swine on the premises of origin just prior to movement therefrom disclosed no indication of vesicular exanthema. The provisions of subparagraph (1) of this paragraph shall not be applicable to such movements.

(d) Movement of swine products derived from swine fed raw garbage. (1) swine products derived from swine which had been fed any raw garbage may be moved interstate under this subpart from a non-quarantined area if such products are moved to an establishment specifically approved for the purpose by the Chief of Bureau for special processing at such establishment and are accompanied by a permit obtained by the owner or shipper from an inspector of the Bureau, an inspector employed by the State of origin of-the swine, or other inspector who may be approved by the Chief of Bureau for this purpose.

(2) During the period of six months following the effective date of the regulations in this subpart, swine products derived from swine which had been fed raw garbage but which, for a period of 30 consecutive days just prior to slaughter, had been fed cooked garbage or other feeds to the exclusion of any raw garbage, which had been kept on a premise on which no raw garbage had been fed to swine during such 30 day period and which had not come in contact with swine fed any raw garbage during such 30 day period, may be moved: interstate under this subpart from a nonquarantined area. The provisions of subparagraph (1) of this paragraph shall not be applicable to such movements.

(e) Other authorized movement. The Chief of Bureau may authorize the movement of swine and swine products from a non-quarantined area, not otherwise authorized by this section, under such conditions as he may prescribe to prevent the spread of vesicular exanthema.

§ 76.31 Movement of swine and swine products from a quarantined area. (a) Movement of swine: (1) Swine may be moved interstate under this subpart from a quarantined area to an establishment specifically approved for the purpose by the Chief of Bureau for immediate slaughter and special processing at such establishment if accompanied by a certificate of a veterinarian of the Bureau or a veterinarian specifically approved for this purpose by the Chief of

Bureau, stating that veterinary inspection of such swine on the premises of origin just prior to movement therefrom disclosed no evidence of vesicular exanthema.

(2) Swine, permitted interstate movement under this subpart, which are moved from a non-quarantined area directly to a clean stockyard in a quarantined area, may be moved interstate under this subpart from such stockyard under conditions prescribed by the Chief of Bureau directly to an establishment specifically approved for the purpose by said Chief for immediate slaughter in a manner approved by said Chief as adequate to prevent the spread of vesicular exanthema, but said Chief may also require the processing of such swine in a manner approved by him if he finds such processing is necessary to prevent the spread of said disease. The provisions of subparagraph (1) of this paragraph shall not be applicable to such movements.

(b) Movement of swine products: (1) Swine products may be moved interstate from a quarantined area if such products are moved to an establishment specifically approved for the purpose by the Chief of Bureau for special processing at such establishment and are accompanied by a permit obtained by the owner or shipper from an inspector of the Bureau.

(2) The following swine products may be moved interstate under this subpart from a quarantined area under such conditions as may be prescribed by the Chief of Bureau to prevent the spread of vesicular exanthema. (i) Swine products which have been processed in the course of normal establishment procedures in a manner approved by said Chief as adoquate to prevent the spread of vesicular exanthema; (ii) swine products derived from swine, permitted interstate movement under this subpart, which were moved from a non-quarantined area directly to a clean stockyard in a quarantined area and which were slaughtered, immediately upon their removal from such stockyard, at an establishment specifically approved for the purpose by said Chief in a manner approved by said Chief as adequate to prevent the spread of vesicular exanthema, and, if required by said Chief, processed in a manner approved by him; (iii) swine products derived from swine, permitted interstate movement under this subpart, which were moved from a non-quarantined area directly to a slaughtering establishment in a quarantined area and there slaughtered immediately upon arrival, under conditions approved by said Chief. The provisions of subparagraph (1) of this paragraph shall not be applicable to such movements.

·(c) The Chief of Bureau may authorize the movement of swine and swine products from a quarantined area, not otherwise authorized by this section, under such conditions as he may prescribe to prevent the spread of vesicular exanthema.

(d) Swine and swine products in transit between points in non-quarantined areas through any quarantined area shall not be deemed to be moved from the quarantined area under this section.

§ 76.32 Movement of swine and swine products through a quarantined area. Swine or swine products which are moved interstate in transit between points in non-quarantined areas through any quarantined area shall not be unloaded in any quarantined area unless all facilities to be used therein in connection with the unloading have been approved for such purpose by the Bureau and have been cleaned and disinfected before such use in a manner approved by the Bureau and under the supervision of a person authorized for the purpose by the Bureau.

§ 76.33 Movement of swine and swine products which have been exposed to or affected with vesicular exanthema. Swine which have been exposed to or have been affected with vesicular exanthema, and swine products derived from such swine, moved interstate to an establishment for slaughter and special processing, or for special processing, as the case may be, shall be moved under Bureau seals or accompanied by a representative of the Bureau or a person specifically authorized for the purpose by the Chief of Bureau.

§ 76.34 Special processing of swine products. All swine products required under the regulations in this subpart to be specially processed shall be heated throughout according to the following schedules:

(a) Boneless swine products shall be heated to an internal temperature of at least 156° F. momentarily, or to an internal temperature of at least 145° F. for 15 minutes.

(b) Swine products containing bone shall be heated to an internal temperature of at least 156° F. for 15 minutes.

§ 76.35 Cleaning and disinfecting of vehicles and facilities. (a) Railroad cars, boats, trucks, and other vehicles, and their equipment, and all other facilities, including facilities for feeding, watering, and resting swine, which are used in connection with the interstate movement of swine, shall be kept clean.

(b) Except as provided by the Chief of Bureau, each railroad car, boat, truck, or other vehicle, and its equipment, used in connection with the interstate movement of swine from stockyards, sale barns, auction markets, and other concentration points, for a distance of 200 miles or more from such points shall be thoroughly cleaned and disinfected as prescribed in paragraph (g) of this section immediately before each such use, if such boat or vehicle was used in connection with any movement of livestock since it was last cleaned and disinfected as prescribed in said paragraph (g) and immediately after each such use.

(c) Facilities which are used for feeding, watering, and resting swine moved interstate shall be thoroughly cleaned and disinfected as prescribed in paragraph (g) of this section immediately after each such use.

(d) The Chief of Bureau may require that any vehicle or facility used in connection with the interstate movement of swine or swine products affected with or exposed to vesicular exanthema, or which the said Chief has reason to be-

lieve may have been so used, shall be thoroughly cleaned and disinfected as prescribed in paragraph (g) of this section.

(e) The carrier shall be responsible for having all railroad cars, boats, trucks, and other vehicles, and their equipment, cleaned and disinfected as required by this section.

(f) The cleaning and disinfecting required by this section shall be done without expense to the Bureau.

(g) The following prescribed method of cleaning and disinfecting railroad cars, boats, trucks, and other vehicles and their equipment shall be used: Remove all litter, feed, and manure from all portions of each car, boat, truck, or other vehicle including all ledges and framework outside, and handle such litter, feed, and manure in such manner as not to expose livestock to any disease contained therein; clean the interior and the exterior of each such vehicle and its equipment; saturate the entire interior surface including all doors, endgates, portable chutes, and similar equip-ment with one of the disinfectants prescribed in § 76.37. The following prescribed method of cleaning and disinfecting of other facilities shall be used: Empty all troughs, racks, and other feeding and watering appliances; remove all litter, feed, and manure from the floors, posts, or other parts, and handle such litter, feed, and manure in such manner as not to expose livestock to any disease contained therein; saturate the entire surface of the fencing, troughs, chutes, floors, walls, and all other parts with one of the disinfectants prescribed ın § 76.37.

§ 76.36 Cleaning and disinfecting of public stockyards. (a) Public stockyards, or the portions thereof, used in handling swine infected with or exposed to vesicular exanthema, or which the Chief of Bureau has reason to believe may have been so used, shall be cleaned and disinfected under Bureau supervision. Such public stockyards, or such portions thereof, shall not be used in handling swine until after the cleaning and disinfecting required by this section have been completed. Such cleaning and disinfecting shall be done without expense to the Bureau, except as provided under the provisions of Part 53 of this chapter.

(b) The following prescribed method of cleaning and disinfecting shall be used: Empty all troughs, racks, and other feeding and watering appliances; remove all litter, feed, and manure from the floors, posts, and other parts, and handle such litter, feed and manure in such manner as not to expose livestock to any disease contained therein; and saturate the entire surface of the fencings, troughs, chutes, floors, walls, and all other parts with one of the disinfectants prescribed in § 76.37.

§ 76.37 Disinfectants to be used. The disinfections required under the regulations in this subpart shall be performed with one of the following:

(a) Soda Ash (sodium carbonate) used at the rate of one pound to three gallons of water.

(b) Sal sada used at the rate of 1312 ounces to one gallon of water.

(c) Lye (sodium hydroxide) used at the rate of 13 ounces to five gallons of water. (Due to the extreme caustic nature of sodium hydroxide solution, precautionary measures such as the wearing of rubber gloves and boots to protect the hands and feet, and goggles to protect the eyes, should be taken by those engaged on the disinfection job. It is also advisable to have an acid solution, such as vinegar, in readiness in case any of the sodium hydroxide solution should come in contact with any part of the hody.)

Any person who wishes to submit written data, views, or arguments concerning the foregoing proposed amendment may do so by filing them with the Chief of the Bureau of Animal Industry, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within seven days after the date of publication of this notice in the Federal Register. It is proposed to make the final amendment of the regulations effective on July 1, 1953.

Done at Washington, D. C., this 3d day of June 1953.

[SEAL]

E. T. BENSON, Secretary of Agriculture.

[F. R. Doc. 53-5067; Filed, June 4, 1953; 1:11 p. m.]

FEDERAL COMMUNICATIONS COMMISSION

I 47 CFR Parts 1, 43]

[Docket No. 10530]

REFORTS OF COMMUNICATION COMMON CARNIERS AND THEIR AFFILIATES; PEAC-TICE AND PROCEDURE

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of Part 43 (Reports of Communication Common Carriers and Their Affiliates) of the Commission's rules and regulations and related amendment of Part 1 (Practice and Procedure) Docket No. 10530.

- 1. Notice is hereby given of proposed rule making in the above-entitled matter.
- 2. It is proposed to amend Part 43 of the Commission's rules and regulations and related references thereto in Part 1, as set forth below, to become effective thirty days after publication in the FEDERAL REGISTER of the final order herein; Provided, however That the amendment of § 43.31 shall become effective after the filling of the monthly report for December. 1953.
- ber, 1953.

 3. The proposed amendments eliminate the special filing of information with regard to responsible accounting officers and also certain portions of other filings not deemed to be essential to the Commission. The proposed amendments are also designed to relieve carriers with a million dollars or less in annual revenue from filing certain reports; to reduce, where practicable, the number of copies of reports to be filed; to permit most of the required reports to be cer-

tified to rather than be filed under oath; and to otherwise improve and clarify the reporting requirements. The section regarding filing of proposed changes in depreciation rates has been amended to require a waiting period of ninety days, instead of sixty days, before the proposed depreciation rates may be made effective in the accounts, and to permit retroactive application of these rates to a date not more than six months prior to the date of filing, but not prior to the beginning of the year in which the filing is made.

- 4. The proposed amendments are issued under authority of sections 4 (i) and 220 of the Communications Act of 1934, as amended.
- 5. Any interested party who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the manner proposed herein, may file with the Commission on or before July 1, 1953, a statement or brief setting forth his comments. At the same time, persons favoring the amendments as proposed may file statements in support thereof. Comments or briefs in reply to the original comments or briefsmay be filed on or before July 15, 1953. The Commission will consider all such comments that are presented before taking action in the matter and, if any comments are submitted which appear to warrant the holding of oral argument, notice of the time and place of such oral argument will be given.
- 6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and fourteen copies of all statements or briefs filed shall be furnished to the Commission.

Adopted: May 27, 1953. Released: May 29, 1953.

[SEAL]

Federal Communications Commission, T. J. Slowie, Secretary.

1. Delete Part 43 in its entirety and substitute the following:

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND CERTAIN AFFILI-ATES

§ 43.01 Applicability. (a) The sections in this part include requirements which have been promulgated under authority of sections 211 and 219 of the Communications Act of 1934, as amended, with respect to the filing by communication common carriers and certain of their affiliates of periodic reports and certain other data, but do not include certain requirements relating to the filing of information with respect to specific services, accounting systems and other matters incorporated in other parts of this title.

(b) Data already filed with the Commission which meet the requirements of this part, as amended, should not be filed again. Carriers becoming subject to the provisions of the several sections of this part for the first time, should, within thirty (30) days of becoming subject, file the required data as set forth in the various sections of the part.

§ 43.21 Annual reports of carriers and certain affiliates. (a) All communication common carriers, and companies directly or indirectly controlling any such carrier shall file with the Commission annual reports as provided in this part. Except as provided in paragraph (c) of this section, each annual report required by this section shall be filed not later than March 31 of each year, covering the preceding calendar year. It shall be filed on the appropriate report form prescribed by the Commission (see § 1.544 of this chapter) and shall contain full and specific answers to all questions propounded and information requested in the currently effective report forms. The number of copies to be filed shall be as specified in the applicable report form. At least one copy of the report shall be verified under oath (or affirmed according to law) by the responsible accounting officer before a person duly authorized to administer an oath. A copy of each annual report shall be retained in the principal office of the respondent and shall be filed in such manner as to be readily available for reference and inspection.

(b) Each communication common carrier that has separate departments or divisions for the conduct of its common carrier operations and its non-carrier activities, shall file with the Commission a supplemental anual report with respect to its common carrier operations, exclusively, and a supplemental annual report applicable only to its noncarrier operations. Each such report shall be prepared on the basis of the accounting performed for the respective departments prior to elimination of intra-company items and shall be accompanied by a statement of consolidation and eliminations or other explanation showing how the consolidated report submitted in compliance with paragraph (a) of this section was developed. Each such supplemental report shall be completed in its entirety wherever applicable to the respective departments, except that any schedule or statement that would be an exact duplicate of the corresponding schedule or statement in the consolidated report may be omitted from the supplemental report if proper annotation is made.

(c) Each company, not of itself a communication common carrier, that directly or indirectly controls any communication common carrier shall file annually with the Commission, not later than the date prescribed by the Securities and Exchange Commission for its purposes, two complete copies of the annual report Form 10K (or any superseding form) filed with that Commission: Provided, however, That if no such report is filed with the Securities and Exchange Commission, such company shall file annual reports on the applicable report forms prescribed by this Commission.

§ 43.31 Monthly reports of communication common carriers. Each telephone common carrier which had operating revenues for the preceding year in excess of \$1,000,000 and each other communication common carrier which

had operating revenues for the preceding year in excess of \$250,000 shall file with the Commission, within forty (40) days after the end of each calendar month, two certified copies of a report for that month. A copy of each such report shall be retained in the principal office of the carrier and shall be filed in such manner as to be readily available for reference and inspection. The monthly reports shall be submitted on report forms which are prescribed and furnished (or approved) by the Commission and shall contain all the information called for therein.

§ 43.42 Reports on pensions and benefits. (a) Each communication common carrier which had operating revenues for the preceding year in excess of \$1,000,000 shall, within thirty (30) days after the adoption of a plan (or within thirty (30) days of first becoming subject to this section, if such a carrier has adopted a plan) furnish the Commission with the following information (see, however, § 43.01)

(1) A copy of the text (or if a text does not exist, a comprehensive outline) of each plan adopted by the respondent (or to which the respondent is a party) covering pensions or annuities, sick benefits, disability benefits, death benefits, termination allowances, life insurance, or any other benefit paid or payable (other than those required by law) to active, retired, or former employees or to their representatives or beneficiaries, the cost of which is borne in whole or part by the respondent, together with the effective date thereof;

(2) The facts, if any, that in the respondent's judgment, establish a contractual relationship requiring the payment of any pensions or benefits under any plan reportable under this section:

(3) A copy of each declaration of trust or other arrangement under which any pension or benefit fund has been established:

(4) A statement explaining in detail the actuarial or other basis for determining the amounts to be paid into a trust or other similar fund that has been established to provide for future pension or benefit payments;

(5) The plan of accounting for each type of pension and benefit paid or to be paid for which provision has been made or is being made in the accounts.

(b) In the event of a change (including abolishment) in any item specified in paragraph (a) of this section, the carrier shall, within thirty (30) days after the date of adoption of such change, file with the Commission a supplemental statement with respect to the change: Provided, however, That, in the event a change is proposed, or has been made, with respect to pensions (except those covered by contracts with insurance companies) or in any matter related thereto that will involve or produce changes in the amounts periodically entering any account for any reason other than a change in the amount of a payroll, a supplemental statement covering the proposed changes and indicating the estimated effect upon the accounts shall, unless otherwise directed or approved by

the Commission, be filed at least thirty (30) days prior to the last day of the month with respect to which the effect of the changes are first to be reflected in the accounts.

(c) Nothing in this section shall be construed as in any way modifying the requirements of any uniform system of accounts prescribed by the Commission.

§ 43.43 Reports of proposed changes in depreciation rates. (a) Each communication common carrier which had operating revenues for the preceding year in excess of \$1,000,000 shall, before making any change in the depreciation rates applicable to its operated plant, file with the Commission a report furnishing the data described in the subsequent paragraphs of this section, and also comply with the other requirements thereof.

(b) Each such report shall contain the following:

(1) A schedule showing for each class and subclass of plant (whether or not the depreciation rate is proposed to be changed) an appropriate designation therefor, the depreciation rate currently in effect, the proposed rate, and the service-life and net-salvage estimates underlying both the current and pro-

posed depreciation rates;

- (2) An additional schedule showing for each class and subclass, as well as the totals for all depreciable plant, (i) the plant investment at the most recent date available, (ii) the estimated amount of depreciation accruals determined by applying the currently effective rate to the amount of such investment, (iii) the estimated amount of depreciation accruals determined by applying the rate proposed to be used to the amount of such investment, and (iv) the difference between the amounts detremmed in subdivisions (ii) and (iii) of this subparagraph:
- (3) A statement giving the reasons for the proposed change in each rate;
- (4) A statement describing method or methods employed in the development of the service-life and salvage estimates underlying each proposed change in a depreciation rate; and

(5) The date as of which the revised rates are proposed to be made effective in the accounts.

(c) When the change in the depreciation rate proposed for any class or subclass of plant (other than one occasioned solely by a shift in the relative investment in the several subclasses of the class of plant) amounts to twenty percent (20%) or more of the rate currently applied thereto, or when the proposed change will produce an increase or decrease of one percent (1%) or more of the aggregate depreciation charges for all depreciable plant (based on the amounts determined in compliance with paragraph (b) (2) of this section), the data required by paragraph (b) of this section shall be supplemented by copies of the underlying studies, including calculations and charts, developed by the carriers to support service-life and netsalvage estimates: Provided, however, That if compliance with this requirement involves submittal of a large volume of data of a repetitive nature, only a fully illustrative portion thereof need be filed.

(d) Each report shall be filed in duplicate and the original shall be signed by the responsible official to whom correspondence related thereto should be addressed.

(e) Unless otherwise directed or approved by the Commission, the following shall be observed: Proposed changes in depreciation rates shall be filed at least ninety (90) days prior to the last day of the month with respect to which the revised rates are first to be applied in the accounts (e.g., if the new rates are to be first applied in the depreciation accounts for September, they must be filed on or before July 1), and such rates may be made retroactive to a date not more than six (6) months prior to the date of filing, but not prior to the beginning of the year in which the filing is made: Provided. however That in no event shall a carrier for which the Commission has prescribed depreciation rates make any changes in such rates unless the changes are prescribed by the Commission.

(f) Any changes in depreciation rates that are made under the provisions of paragraph (e) of this section shall not be construed as having been approved by the Commission unless the carrier has been specifically so informed.

§ 43.51 Contracts and concessions. (a) Each communication common carrier shall file with the Commission, within thirty (30) days of execution (or within 30 days of a carrier first becoming subject to the provisions of this section) a copy of each contract, agreement, concession, license, authorization, or other arrangement to which it is a party with respect to communication traffic affected by the Communications Act of 1934, as amended, relating to the following:

(1) The interchange of services between such carrier and any other common carrier, whether or not the latter is subject to the Communications Act;

(2) The interchange or routing of traffic and matters concerning rates, division of tolls, or the basis of settlement of traffic balances; or

(3) Rights granted to the carrier by any foreign government for the landing, connection, installation, or operation of cables, land lines, radio stations, offices, or for otherwise engaging in communication operations.

(b) A copy of each modification, amendment, or cancellation of any instrument required to be filed under the provisions of paragraph (a) of this section shall likewise be filed within thirty (30) days after execution.

(c) If any contract, agreement, concession, license, authorization, or other arrangement, or change therein, as contemplated in paragraphs (a) and (b) of this section, is made other than in writing, a certified statement covering all details thereof shall be filed within thirty (30) days from the date it is made.

(d) Upon the filing of any item required by paragraphs (a) to (c) of this section by one of two or more carriers subject to these provisions, each other party to the agreement may, in lieu of also filing a copy thereof, file a certified statement appropriately identi-

fying the document and concurring in the contents thereof, as filed.

§ 43.52 Reports of negotiations regarding foreign communication matters. Not later than the tenth day of each month, each communication common carrier engaging in or participating directly in foreign telegraph or telephone traffic affected by the Communications Act of 1934, as amended, shall file with the Commission a single copy of a report covering all negotiations, written or oral, initiated or conducted during the preceding calendar month with any foreign administration, agency, or carrier for (a) the establishment of a direct or indirect circuit between the United States and any foreign or overseas point, other than temporary arrangements for emergency routing of traffic, (b) any new foreign traffic contract, agreement, concession, license, or authorization, or (c) any change or modification in any such existing arrangement. The report shall be prepared in such manner as to show separately all data relating to each country. If no such negotiations have been initiated or conducted during the preceding month the report shall so state: Provided, however That any carrier whose only foreign communication consists of traffic to and from Canada or Mexico need not file a report for any month in which no negotiations have taken place. Each report shall be certified as true and correct to the best of the knowledge and belief of a responsible official of the carrier.

§ 43.53 Reports regarding division of international telegraph communication charges. (a) Each communication common carrier engaged directly in the transmission or reception of telegraph communications between the continental United States and any foreign country (other than one to which the domestic word-count applies) shall file a report with the Commission within thirty (30) days of the date of any arrangement concerning the division of the total telegraph charges on such communications other than transiting. A carrier first becoming subject to the provisions of this section shall, within thirty (30) days thereafter, file with the Commission, a report covering any such existing arrangements. A separate page of the report shall be devoted to inbound and a separate page to outbound communications with respect to each normal route to each country of origin or destination.

(b) In the event that any change is made which affects data previously filed, a revised page incorporating such change or changes shall be filed with the Commission not later than thirty (30) days from the date the change is made: Provided, however, That any change in the amount of foreign participation in charges for outbound communications or in the respondent's participation in charges for inbound communications, shall be filed not later than thirty (30) days from the date the change is agreed

(c) A single copy of each such report shall be filed on forms similar to those adopted by the Commission and in compliance with the instructions thereto. Sample forms will be furnished upon request.

- § 43.54 Reports regarding services. performed by telegraph carriers. (a) Each common carrier primarily engaged in furnishing telegraph service upon commencing the performance of, or the participation in, any new type of transmission or nontransmission service that is not covered by a tariff filed with the Commission, or that discontinues entirely any such existing service, shall within thirty (30) days thereafter, file with the Commission a single copy of a report giving a description and full particulars thereof. A carrier first becoming subject to the provisions of this section shall, within thirty (30) days thereafter, file with the Commission a single copy of a report giving a description of existing services not covered by tariff. filings. Each such report shall be certified as true and correct to the best knowledge and belief of a responsible official of the carrier.
- (b) Among the services which may be covered by this section are the following: Communication service wholly within or between foreign countries; the leasing of wires to other communication carriers; errand service by messenger; time service; burglar alarm service; pick-up and delivery for other carriers; leasing of other than telegraph plant; the sale, installation, maintenance or inspection of equipment for others; accounting; legal, engineering and other services per-formed for others; merchandising, jobbing, and contracting services; frequency measuring service; and stock quotation service.
- 2. In the list of forms in § 1.545 Monthly financial reports, delete the following:
- a. The word "(Revised)" following
- "F C. C. Form No. 901".
 b. The words "(Revised Jan. 1950)" following "F C. C. Form No. 903".
- c. The words "(Revised Jan. 1950)" following "F C. C. Form No. 905"
- 3. Delete § 1.546 Reports of accounting officers.
- 4. In § 1.547 Reports to be filed under Part 31 of this chapter delete present text of paragraph (1) and substitute the following:
- (l) 31.100:4, 31.100:7, 31.172, 31.614. Disposition of amounts included in account 100:4. "Telephone plant acquisition adjustment," and in account 100:7, "Telephone plant adjustment."

- 5. Delete § 1.551 and substitute the following:
- § 1.551 Reports of proposed changes in depreciation rates. Carriers shall file reports regarding proposed changes in depreciation rates as required by § 43.43 of this chapter.
- 6. Delete § 1.552 and substitute the following:
- § 1.552 Reports regarding premature destruction of records. Carriers shall file reports relating to the premature destruction of records as required by §§ 45.7 and 46.7 of this chapter.
- 7. Delete § 1.553 and substitute the following:
- § 1.553 Reports regarding pensions and benefits. Carriers shall file reports regarding pensions and benefits as required by § 43.42 of this chapter.
- 8. Delete, § 1.554 and substitute the following:
- § 1.554 Reports regarding division of international telegraph communication charges. Carriers engaging in international telegraph communication shall file reports in regard to the division of communication charges as required by § 43.53 of this chapter.
- 9. Delete § 1.556 and substitute the
- § 1.556 Reports of negotiations regarding foreign communication matters. Carriers engaging or participating in foreign communications shall file monthly reports covering negotiations conducted as required by § 43.52 of this chapter.
- [F. R. Doc. 53-5055; Filed, June 5, 1953; 8:48 a. m.]

I 47 CFR Part 3 1

[Docket No. 10470]

TELEVISION BROADCAST STATIONS

ORDER EXTENDING TIME FOR FILING COMMENTS

In the matter of amendment of § 3.606. Table of assignments, rules governing television broadcast stations; Docket No. 10470.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of May 1953:

The Commission having under consideration a petition filed May 22, 1953 by Appalachian Broadcasting Corporation requesting the Commission to extend the time for filing comments in the above-entitled proceeding to June 3, 1953; and an Opposition thereto filed by Polan Industries on May 26, 1953; and

It appearing, that on April 23, 1953 the Commission issued a notice of proposed rule making proposing the assignment of VHF Channel 5 to Glenville, West Virginia, and setting May 25, 1953 as the last day for filing comments thereto; and

It further appearing, that Appalachian Broadcasting Corporation is an appli-cant (BPCT 850) for a television station on Channel 5 in Bristol, Virginia where this channel is presently assigned; that the proposed assignment of Channel 5 at Glenville would conflict with the pending application of Appalachian Broadcasting Corporation since Glenville is only 161 miles from the site proposed by Appalachian Broadcasting Corporation for Bristol; and that Appalachian Broadcasting Corporation indicates that it desires to file an opposition to the proposed assignment of Channel 5 for Glenville and to file a counterproposal suggesting the assignment of this channel to another community in West Virginia: and

It further appearing, that Appalachian Broadcasting Corporation states that its engineering and legal counsel "are presently drafting materials to support its opposition and counterproposal"; that "because of the extensive nature of the pleading to be filed and the pressure of other office work," petitioner has been unable to complete its comment by May 25, 1953; and that petitioner requests an extension of time to June 3, 1953, in order to afford it sufficient time to complete and file its comment:

It is ordered, That the petition of Appalachian Broadcasting Corporation is granted; the time for filing comments in this proceeding is extended to June 3, 1953; and comments or briefs in reply to such original comments may be filed on or before June 15, 1953.

Released: May 29, 1953.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] T. J. SLOWIE.

Secretary.

[F. R. Doc. 53-5054; Filed, June 5, 1953; 8:48 a. m.]

NOTICES

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FEDERAL COMMUNICATIONS COMMISSION

EMERGENCY DISPERSAL BOARD

DELEGATION OF AUTHORITY WITH RESPECT TO CERTAIN FUNCTIONS \

At a session of the Federal Communications Commission held at its offices in

Washington, D. C., on the 8th day of May 1953;

- It is ordered, Under the authority of the Communications Act of 1934, as amended, that in the event of the inability of the Commission to function at its offices in Washington, D. C., resulting from disaster or the threat of imminent disaster from enemy attack or from natural causes, either:
- (1) At the time or under the circumstances specified in a directive from the President, or
- (2) In the absence thereof, upon receipt of a "Yellow Alert" indicating that an attack on the Capitol is likely, or
- (3) In the absence of either a directive or yellow alert, immediately following an actual attack.

an Emergency Dispersal Board, comprising the Defense Commissioner and such other members of the Commission as may be present and able to act, is authorized to place the following provisions in effect for the period during which such inability of the Commission to act may continue:

(a) There is hereby assigned and referred to the Emergency Dispersal Board, all work, business, or functions of the Federal Communications Commission arising under the Communications Act of 1934, as amended.

(b) The Emergency Dispersal Board acting by a majority thereof, shall have the power and authority to hear and determine, order, certify, report, or otherwise act as to any of said work, business or functions so assigned or referred to it, and in respect thereof shall have all the jurisdiction and powers conferred by law upon the Commission, and be subject to the same duties and obligations.

(c) Any order, decision, or report made or other action taken by the said Board in respect of any matters so assigned or referred shall have the same force and effect, and may be made, evidenced, and enforced in the same manner as if made or taken by the Commission.

This order shall become effective immediately.

• Federal Communications Commission,

[SEAL] T. J. SLOWIE,

Secretary:

[F. R. Doc. 53-5056; Filed, June 5, 1953; 8:49 a. m.]

[Docket Nos. 10401, 10402, 10430]

American Telephone Answering Service et al.

ORDER SCHEDULING HEARING

In re applications of Lyman G. Berg, d/b as American Telephone Answering Service, Physicians Exchange, Radio Message Service and Television Answering Service, Long Beach, California, Docket No. 10401, File No. 111–C2–P–53; New York Technical Institute of Cincinnati, Inc., Mt. Wilson, California, Docket No. 10402, File No. 141–C2–P–53; Thomas W Wing and Kathleen Wing, d/b as Radio Paging Company, Mt. Wilson, California, Docket No. 10430, File No. 787–C2–P–53; for construction permits for one-way signaling stations in the Domestic Public Land Mobile Radio Service.

The Commission having under consideration the order herein issued on the 26th day of March 1953 postponing indefinitely the hearing herein which had been previously scheduled for March 30, 1953;

It is ordered, This 28th day of May 1953, that the hearing herein is scheduled for 9:00 a, m., the 15th day of June 1953, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,

Secretary.

[F. R. Doc. 53-5057; Filed, June 5, 1953; 8:49 a. m.]

[Docket Nos. 10466, 10467]

PREMIER TELEVISION, INC., AND W. R. TULEY

ORDER CONTINUING HEARING

In re applications of Premier Television, Incorporated, Evansville, Indiana, Docket No. 10466, File No. BPCT-1014; W R. Tuley, Evansville, Indiana, Docket No. 10467, File No. BPCT-1025; for Television construction permits.

The hearing in the above-entitled proceeding having been opened by a conference, in accordance with the order of the Commission of April 15, 1953; and

It appearing that on May 22, 1953, W R. Tuley, Evansville, Indiana, filed a petition requesting dismissal without prejudice of his above-entitled application and that said petition has not of this date been acted upon by the Commission; that the Commission is in the process of changing its policy as to procedure with reference to remaining application or applications in such cases; and

It further appearing that counsel for the remaining applicant, Premier Television, Inc., has requested a continuance to June 22, 1953, of this conference pending action by the Commission on the said petition of W. R. Tuley to dismiss his said application and the establishment of policy as to procedure with reference to its remaining application; that counsel for the Broadcast Bureau of the Commission has consented to such a continuance; that a continuance of this conference to June 22, 1953, or a date in advance thereof if the Commission acts sooner on said petition of W. R. Tuley and establishes policy for procedure as_to the remaining applicant, would conduce to the dispatch of the Commission's business and the ends of justice:

Therefore, it is ordered, This 25th day of May 1953, that the conference in the above-entitled proceeding opened this day is hereby continued to 9 o'clock, June 22, 1953, in Washington, D. C., unless the Commission sooner acts upon the petition of W. R. Tuley and establishes policy for procedure as to the remaining applicant, in which case a further order advancing the date of said further conference will be issued.

Federal Communications
Commission,
[SEAL] T. J. Slowie,
Secretary.

[F. R. Doc. 53-5053; Filed, June 5, 1953; 8:49 a. m.]

[Docket Nos. 10525, 10526]

LORAIN JOURNAL CO., AND ELYRIA-LORAIN BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CON-SOLIDATED HEARING ON STATED ISSUES

In re applications of The Lorain Journal Company, Lorain, Ohio, Docket No. 10525, File No. BPCT-1116; Elyrin-Lorain Broadcasting Company, Lorain, Ohio, Docket No. 10526, File No. BPCT-1124; for construction permits for new television stations,

At a session of the Federal Communcations Commission held at its offices in Washington, D. C., on the 27th day of May 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast-station to operate on Channel 31 in Lorain, Ohio; and

It applearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the abovenamed applicants were advised by letters dated April 23, 1953, that their applications were mutually exclusive and that a hearing would be necessary that The Lorain Journal Company was advised by the said letter that questions as to its qualifications to be the licensee of a television broadcast station were raised due to violations of antitrust laws by the applicant, and that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved; and that Elyria-Lorain Broadcasting Company was advised by the said letter that certain questions were raised as a result of deficiencies of a financial and technical nature which existed in its application: and

It further appearing, that upon due consideration of the above-entitled applications, the amendments filed thereto, and the replies to the above letters. the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory that The Lorain Journal Company is legally, financially, and technically qualified to construct, own and operate a television broadcast station, except as to the matters contained in issue "4" below; and that Elyria-Lorain Broadcasting Company is legally qualified to construct, own and operate a television broadcast station, and is technically qualified to construct, own and operate a television broadcast station except as to the matter referred to in issue "2" below;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 9:00 a.m. on June 26, 1953, in Washington, D. C., upon the following issues:

1. To determine whether Elyria-Lorain Broadcasting Company is financially qualified to construct, own and operate the proposed television broadcast station.

2. To determine whether the erection of the television antenna and tower proposed in the above-entitled application of Elyria-Lorain Broadcasting Company will adversely affect the ability of standard broadcast Station WEOL to operate in accordance with the terms of its license, particularly with respect to the operation of its radiating system, and whether corrective measures for such effects are possible and feasible.

- 3. To determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applications as to:
- (a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.
- (b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.
- (c) The programming service proposed in each of the above-entitled applications.
- 4. To determine whether the Lorain Journal Company is qualified to be the licensee of a television broadcast station, in the light of its past activities in violation of Federal antitrust laws.

FEDERAL COMMUNICATIONS COMMISSION, [SEAL] T. J. SLOWIE, Secretary.

[F. R. Doc. 53-5059; Filed, June 5, 1953; 8:49 a. m.]

[Docket Nos. 10527, 10528].

SOUTH PLAINS BROADCASTERS AND TEXAS TELECASTING, INC.

ORDER DESIGNATING APPLICATIONS FOR CON-SOLIDATED HEARING ON STATED ISSUES

In re applications of Rex Webster, tr/as South Plains Broadcasters, Slaton, Texas, Docket No. 10527, File No. BP-8291, Texas Telecasting, Incorporated, Lubbock, Texas, Docket No. 10528, File No. BP-8772; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of May 1953:

The Commission having under consideration the above-entitled applications for construction permits for new standard broadcast stations to operate on 1340 kilocycles, with a power of 250 watts, unlimited time, at Slaton and Lubbock, Texas, respectively
It appearing, that the applicants are

legally, technically, financially and otherwise qualified to operate the proposed stations, but that the operation of both stations, as proposed would result in mutually prohibitive interference with each other, and borderline interference to station KPDN, Pampa, Texas;

It further appearing, that, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicants and Station KPDN were advised by letters dated April 1, 1953, of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of either application would

be in the public interest;
It further appearing, that the applicants have replied to the Commission's letters; and that the Commission, after consideration of the replies, is still unable to conclude that a grant would be in the public interest;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the availability of other primary service to such areas and populations.

2. To determine whether the operation of the proposed stations would involve objectionable interference with Station KPDN, Pampa, Texas, and, if so, the nature and extent thereof, the areas and populations affected thereby, the availability of other primary service to such areas and populations, and the nature and character of the program service rendered by Station KPDN to such areas and populations.

3. To determine, on a comparative basis, which of the operations proposed in the above-entitled applications would best serve the public interest, convenience or necessity in the light of the evidence adduced under the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each of the above-named applicants to own and operate the proposed stations.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed stations.

(c) The programming service proposed in each of the above-mentioned applications.

It is further ordered, That Coy Palmer and Warren L. Hasse, doing business as Top O'Texas Broadcasting Company, licensee of Station KPDN, Pampa, Texas, are made a party to this proceeding.

Released: May 29, 1953.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, T. J. SLOWIE. Secretary.

[F. R. Doc. 53-5060; Filed, June 5, 1953; 8:49 a. m.]

[Docket No. 10529]

THMM, INC. (WGAA)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Timm, Inc. (WGAA), Cedartown, Georgia, Docket No. 10529, File No. BP-8640; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of May 1953:

The Commission having under consideration the above-entitled application for a construction permit to change the facilities of Station WGAA, Cedartown, Georgia, from 250 watts, unlimited time. on 1340 kilocycles, to 1 kilowatt, day-time only, on 980 kilocycles;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station WGAA as proposed, but that the application may involve interference with Station WKLF, Clanton, Alabama (980

kc, 1 kw, daytime only),
It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicant was advised by letter dated March 25, 1953 of the aforementioned deficiency and that the Commission was unable to conclude that a grant of the application would be in the public interest, and that a copy of the said letter was sent to Station WKLF;
It further appearing, that the appli-

cant has not replied to the Commission's letter, but that Station WKLF, by letter dated April 14, 1953, has indicated its opposition to a grant of the instant

application;

It further appearing, that the Commission is still unable to conclude that a grant would be in the public interest and, moreover, is of the opinion that under section 316 of the Communications Act of 1934, as amended, a hearing is mandatory.

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended the said application is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such

areas and populations. 2. To determine whether the operation

of the proposed station would involve objectionable interference with Station WKLF Clanton, Alabama, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

It is further ordered, That Southeast-ern Broadcasting Co., licensee of Radio Station WKLF is made a party to this

proceeding.

[SEAL]

Released: May 29, 1953.

FEDERAL COMMUNICATIONS COMMUNICATION, T. J. Slowie, Secretary.

JF. R. Doc. 53-5061; Filed, June 5, 1953; 8:50 a. m.]

[Change List No. 75]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

APRIL 17, 1953.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Canadian Broadcast Stations modifying Appendix containing assignments of Canadian Broadcast Stations (Mimeograph 47214– 3) attached to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting. January 30, 1941.

CANADA

Call letters	Location	Power (kw)	Antenna	Eched- ule	Cpzz	Probable date to commence oper- ation
CFRA CHNO NEW	Ottawa, Ontario	ESO kilocycles 5 800 kilocycles 1 1140 kilocycles 1 1030 kilocycles 0.25	DA-1 DA-N DA-1 ND	ช ช บ	m n n v	Apr. 17, 1934. Dec. 1, 1833. Delete configument. Apr. 17, 1934.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, T. J. SLOWIE. Secretary.

[F. R. Doc. 53-5062; Filed, June 5, 1953; 8:50 a. m.]

[Change List No. 158]

MEXICAN BROADCAST STATIONS

LISTS OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

APRIL 17, 1953.

Notification under the provisions of part III, section 2 of the North American Regional Broadcasting Agreement.

List of Changes, Proposed Changes, and Corrections in Assignments of Mexican Broadcast Stations modifying the Appendix Containing Assignments of Mexican Broadcast Stations (Mimeograph 47214-6) attached to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

MEXICAN

Call letters	Location	Power (kw)	Schod- ulo	Ches	Probabladata to commenca operation
XEEF XEIP XESU XERU	Ciudad Cuauhtemoc, Chihuahua (new)	### ### ##############################	ם מם מם מם מם מם מם מם מם	III-B IV II II IV IV IV IV III-B IV	Oct. 17,1913 De. Apr. 17,1913 Oct. 17,1913 De. Do. Do. July 19,1933 Oct. 17,1913 April 17,1913 Oct. 17,1913 Do. Do.
XECA	Ciudad Ixtepec, Oaxaca (new) San Andres Tuxtia, Veracruz (new)	5D/0.25N 1510 hilterales	U U	III-B	Do.

FEDERAL COLIMINATIONS COMMISSION.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 53-5063; Filed, June 5, 1953; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-275]

ACCIDENT OCCURRING NEAR SELLECK. WASH.

NOTICE OF RECONVENING OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry N-65743 which occurred near Selleck, Washington, April 14, 1953.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that reconvening of hearing is hereby assigned to be held on June 11, 1953, at 9:00 a. m. (local time) at the Coral Gables City Hall, Coral Gables, Florida.

Dated at Washington, D. C., May 28, 1953.

[SEAL]

EVERETT S. BOSWORTH, Presiding Officer.

[P. R. Doc. 53-5063; Filed, June 5, 1953; 8:51 a. m.]

ECONOMIC STABILIZATION **AGENCY**

Office of Rent Stabilization

DEPUTY DIRECTOR OF RENT STABILIZATION

DELEGATION OF AUTHORITY TO GRANT EXCEPTIONS TO THE VETERANS' PREFER-ENCE REQUIREMENTS

Authority is hereby delegated to William G. Barr, the duly appointed, qualified and acting Deputy Director of Rent Stabilization, to grant exceptions to the veterans' preference requirements of the Housing and Rent Act of 1947, as amended, and the Veterans' Preference Regulation (16 F. R. 10379; 13 F. R. 2604) in accordance with the provisions of said act and regulation and Executive Order 10293. (G. O. 12, E. S. A., 16 F. R. 12023).

Issued and effective this 3d day of June 1953.

> GLENWOOD J. SHERRARD, Director of Rent Stabilization.

[F. R. Doc. 53-5051; Filed, June 5, 1953; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1153]

WILLIUT GAS & OIL CO. ET AL.

NOTICE OF OPINION NO. 252 AND ORDER

In the matter of Willmut Gas & Oil Company, et al., v. United Gas Pipe Line Company: Docket No. G-1158.

Notice is hereby given that on June 1, 1953, the Federal Power Commission 1ssued its opinion and order adopted May 26, 1953, modifying and affirming as modified decision of Presiding Examiner in the above-entitled matter.

LEON M. FUQUAY, Secretarii.

[F. R. Doc. 52-5940; Filed, June 5, 1953; 8:46 a. m.]

[Dacket Nos. G-1473; G-1649, G-1693, G-1727, G-1737]

Tenas Eastern Translussion Corp. et al. NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

June 2, 1953.

In the matters of Texas Eastern Transmission Corporation, Docket No. G-1693; Alabama-Tennessee Natural Gas Company, Docket No. G-1473; Tennessee Gas Company, Docket No. G-1649 Shippensburg Gas Company, Docket No. G-1727 Consumers Gas Company, Docket No. G-1737.

Notice is hereby given that on June 1, 1953, the Federal Power Commission 153268 NOTICES

sued its order adopted May 28, 1953, amending order (17 F R. 6287) issuing certificate of public convenience and necessity in the above-entitled matters.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 53-5041; Filed, June 5, 1953; 8:46 a. m.]

[Docket No. G-2118]

LAKE SHORE PIPE LINE CO.

NOTICE OF ORDER GRANTING PERMISSION TO FILE'NEW RATE SCHEDULE AND TERMINAT-ING PROCEEDING

JUNE 2, 1953.

Notice is hereby given that on June 1, 1953, the Federal Power Commission issued its order adopted May 28, 1953, granting permission to file new rate schedule and terminating proceeding in the above-entitled matter.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 53-5042; Filed, June 5, 1953; 8:46 a.m.]

[Docket No. G-2120]

COLORADO INTERSTATE GAS CO.

ORDER FIXING DATE FOR ORAL ARGUMENT

On May 22, 1953, at the close of the hearing in the above-docketed proceeding, counsel for Colorado Interstate Gas Company (Applicant) orally moved on the record for the omission of the intermediate decision procedure, for leave to file proposed findings of fact and conclusions of law and for oral argument before the Commission. All parties, including Staff counsel, concurred in the waiver of the intermediate decision procedure. The Presiding Examiner fixed June 12, 1953 as the date for the filing by all parties of proposed findings of fact and conclusions of law.

The Commission finds: It would be in the public interest and it is necessary and appropriate to carry out the provisions of the Natural Gas Act to grant the motion for oral argument to be held at the time and place hereinafter designated.

The Commission orders:

(A) Oral argument be held in the above-docketed proceeding commencing at 10:00 a.m. e. d. s. t. on June 19, 1953, in the Hearing Room of the Federal Power Commission, General Accounting Office Building, 441 G Street, NW., Washington, D. C.

(B) Briefs, memoranda, proposed findings of fact and conclusions of law shall be filed by all parties on the date heretofore fixed therefor by the Presiding Examiner.

(C) Parties to this proceeding who intend to participate in the oral argument shall so notify the Secretary of the Commission, and, of the time requested for presentation of their argument, no

later than ten days prior to the date heretofore fixed for the oral argument.

Adopted: May 28, 1953. Issued: June 2, 1953.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 53-5044; Filed, June 5, 1953; 8:47 a. m.]

[Docket No. G-2172]

EAST TENNESSEE NATURAL GAS CO.

NOTICE OF APPLICATION

JUNE 1, 1953.

Take notice that on May 19, 1953, East Tennessee Natural Gas Company (Applicant) a Tennessee corporation with its principal place of business located near Knoxville, Tennessee (P. O. Box 831, Knoxville, Tennessee) filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of certain natural, gas pipe-line facilities hereinafter described.

The facilities for which Applicant seeks authorization to construct and operate are referred to in its application as Projects A and B, which Projects are described as follows:

Project A. Project A consists of one (1) 6-inch (65%-inch O. D.) partial "loop" lateral pipe line (together with necessary physical connections, measuring and regulating equipment and other necessary appurtenances) extending in a general northerly and northeasterly direction from a point of tie-in, approximately seven one-hundredths (0.07) of a mile south of the junction of the aforesaid 6-inch and 4-inch portions of the existing Columbia Lateral, to a point on the south bank of Duck River in Maury County, Tennessee. Such partial "loop" lateral will be approximately fifteen (15) miles in length; will be of welded steel construction; will be laid generally parallel to, the aforesaid existing 4-inch portion of its Columbia Lateral; and will be used to provide added capacity to deliver gas to its present markets and to deliver gas to the Project B hereinafter described.

Project B. Project B consists of one (1) 4-inch (4½-inch O. D.) sub-lateral pipe line (together with necessary physical connections, measuring and regulating equipment and other necessary appurtenances) extending from a point of tie-in with Project A to a point near the plant premises of Armour in Maury County, Tennessee. Such sub-lateral will be approximately three-fourths (34) of one (1) mile in length; will be of welded steel construction; and will be used for the delivery and sale of natural gas by Applicant directly to Armour for use by Armour in its phosphate plant.

The estimated costs of Projects A and B are approximately \$300,223, and \$23.199, respectively.

Applicant will finance the construction of the factilities, for the construction and operation of which approval is sought in this application, in part, out of proceeds derived from the recent sale of \$2,144,520 East Tennessee Natural Gas Company 5 Percent Convertible Debentures, dated

May 1, 1953, due May 1, 1968 and, in part, out of current cash funds on hand.

Applicant requests that its application be heard under the shortened procedure pursuant to § 1.32 (b) of the Commission's rules of practice and procedure:

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 19th day of June, 1953. The application is on file with the Commission for public inspection.

[SEAL]

Leon M. Fuquay, Secretary,

[F. R. Doc. 53-5043; Filed, June 5, 1953; 8:46 a. m.]

HOUSING AND HOME FINANCE AGENCY

Federal Housing Administration

FIELD ORGANIZATION

MISCELLANEOUS AMENDMENTS

The following entries in section 22 (b) (5) are amended as indicated:

- 1. Opposite "Agana, Guam, Hawaii" delete the address "Calvo Bidg., P O. Box 204" and in lieu thereof insert "P. O. Box 278."
- 2. Opposite "Helena, Montana" delete the address "Securities Bldg., Main and Grand Sts." and in lieu thereof insert "Power Block Bldg."
- 3. Opposite "Charlotte, North Carolina" delete the address "Robinson Bldg." and in lieu thereof insert "109 W Third St"
- 4. Opposite "Amarillo, Texas" under the column headed "Jurisdiction" delete "(See Fort Worth)" and in lieu thercof insert "(See Lubbock)"
- 5. Opposite "Fort Worth, Texas" under the column headed "Jurisdiction" reviso the wording to read "Counties of Archer, Baylor, Bosque, Brown, Callahan, Clay, Coke, Coleman, Comanche, Concho, Eastland, Erath, Foard, Hamilton, Hardeman, Haskell, Hood, Jack, Johnson, Jones, Knox, Lampasas, McCullock, Mills, Montague, Palo Pinto, Parker, Runnels, San Saba, Shackleford, Somervell, Stephens, Tarrant, Taylor, Throckmorton, Tom Green, Wichita, Wilbarger, Wise, and Young."
- 6. Opposite "Lubbock, Texas" under the column headed "City" delete "(1);" under the column headed "Address" delete "213 Broadway Bldg," and in lieu thereof insert "Room 16, Post Office Bldg.;" and under the column headed "Jurisdiction" revise the wording to read "Counties of Andrews, Armstrong, Bailey, Borden, Briscoe, Carson, Castro, Childers, Cochran, Collingsworth, Cottle, Crane, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Ector, Fisher, Floyd, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Howard, Hutchinson, Irion, Kent, King, Lamb, Lipscomb, Lubbock, Lynn, Martin, Midland, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Par-

mer, Pecos, Potter, Randall, Reagan, Roberts, Scurry, Sherman, Sterling, Stonewall, Swisher, Terry, Upton, Ward, Wheeler, Winkler, and Yoakum."

> OSBORNE KOERNER Director, Administrative Services.

May 27, 1953

[F. R. Doc. 53-5045; Filed, June 5, 1953; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3063]

American Natural Gas Co. and Michigan CONSOLIDATED GAS CO.

ORDER REGARDING PROPOSED ISSUANCE AND SALE BY SUBSIDIARY OF COMMON STOCK TO ITS PARENT, AND PROPOSED ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS

JUNE 2, 1953.

American Natural Gas Company ("American Natural") a registered holding company, and its public utility subsidiary, Michigan Consolidated Gas Company ("Michigan Consolidated") having filed a joint application-declaration, as amended, with the Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") particularly sections 6 (a) 7, 9 (a) 10 and 12 (f) thereof and Rules U-43 and U-50 promulgated thereunder regarding the following transactions:

Michigan Consolidated proposes to 1ssue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$20,000,000 principal amount of First Mortgage Bonds, __ Percent Series due

1978 (the "New Bonds").

The New Bonds will be dated June 15, 1953, will mature June 15, 1978, and will be issued under Michigan Consolidated's Indenture of Mortgage and Deed of Trust dated as of March 1, 1944, as heretofore supplemented and as to be further supplemented by a Sixth Supplemental Indenture, to be dated as of June 15, 1953. The interest rate on the New Bonds (which shall be a multiple of 1/8 of 1 percent) and the price to be received by Michigan Consolidated for the New Bonds (which price, exclusive of accrued interest, shall be not less than 100 percent of the principal amount and not more than 102% percent of the principal amount) are to be determined by competitive bidding. The public offering price in case the New Bonds are purchased for distribution by the successful bidder or bidders therefor will be determined by such bidder or bidders.

Of the proceeds from the sale of the New Bonds, it is estimated that approximately \$5,000,000 representing the principal amount of New Bonds not issued in the first instance against net property additions, will be deposited with the Trustee under Michigan Consolidated's Indenture of Mortgage and Deed of Trust dated as of March 1, 1944, and will be held as a part of the trust estate pending withdrawal from time to time through the certification of unbonded net property additions.

At or prior to the issuance and sale of the New Bonds, Michigan Consolidated will issue and sell to American Natural 215,000 shares of common stock for cash in an amount equal to the par value thereof, namely \$14 per share, an aggregate of \$3,010,000. The authorized common stock of Michigan Consolidated consists of 4,500,000 shares of the par value of \$14 each, of which 4,260,000 shares are outstanding

Michigan Consolidated intends to apply the proceeds from the sale of the New Bonds, exclusive of accrued interest thereon, and from the sale of the additional shares of common stock to the payment of short term bank borrowings incurred for construction purposes and unpaid at the consummation of the proposed financing in the estimated amount of \$7,400,000, to the payment of expenses incident to the issuance and sale of the New Bonds and additional shares of common stock, and to provide funds for expansion of facilities and to reimburse Michigan Consolidated's treasury for expenditures made for such purpose.

The application-declaration, as amended, states that the issuance and sale of the New Bonds and additional shares of common stock of Michigan Consolidated have been authorized by the Michigan Public Service Commission.

Notice of the filing of said applicationdeclaration, as amended, having been given in the manner and form provided by Rule U-23 under the act, and the Commission not having received a request for, and not having ordered, a

hearing thereon:

The Commission finding with respect to said joint application-declaration, as amended, that the applicable provisions of the act and the rules thereunder have been satisfied, observing no basis for adverse findings, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective forthwith, subject to the terms and conditions hereinafter stated:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration, as amended, be, and it hereby is, granted and permitted to become effective forthwith, subject to the condition that the issuance and sale of the bonds shall not be consummated until the results of competitive bidding shall have been made a matter of record in this proceeding, and a further order shall have been entered in the light of the record as then supplemented, which order may contain such terms and conditions as are deemed appropriate, and subject to a reservation of jurisdiction in respect of the fees and expenses to be incurred and paid in connection with such issuance and sale of securities.

It is further ordered, That this order shall become effective upon its issuance.

By the Commission.

ORVAL L. DUBOIS, [SEAL] Secretary.

[F. R. Doc. 53-5047; Filed, June 5, 1953; 8:47 a. m.1

[File No. 812-829]

AMERICAN RESEARCH AND DEVELOPMENT CORP. AND HIGH VOLTAGE ENGINEERING Conp.

ORDER EXEMPTING CERTAIN TRANSACTIONS BETWEEN AFFILIATES

June 2, 1953.

American Research and Development Corporation ("Research") Boston, Massachusetts, a registered closed-end nondiversified investment company and its controlled company, High Voltage Engineering Corporation ("High Voltage") Cambridge, Massachusetts, having filed a joint application pursuant to section 17 (b) of the act seeking an order exempting the following transactions from the prohibitions contained in section 17 (a) of the act.

High Voltage, organized in 1946, engages in the manufacture of multimillion volt electrostatic generators for use in scientific research, deep X-ray cancer therapy, industrial radiography, cath-ode-ray sterilization of pharmaceuticals and foods; linear accelerators for providing electrons with energies up to fifty million volts; and precision accessory

apparatus.

High Voltage has outstanding 17,166 shares of common stock, no par value, none of which are held by Research, and 25,000 shares of participating, voting, preferred stock, \$10 par value, of which Research owns 20,000 shares, bought at par in 1946, which represents 47.4 percent of the voting power of High Voltage. The common stock, all of which is owned by officers, directors and employees of High Voltage, ranks equally with the preferred in all respects, except that the preferred stock is entitled to a \$10 per share preference in liquidation, after which the common and preferred stocks share pro rata in any further distribution. High Voltage also had outstanding, at March 31, 1953, \$175,000 of short term bank loans, a \$42,000 unsecured installment 3 percent bank note due serially through 1955 and a \$116,250 installment 4 percent mortgage note due serially through 1965.

High Voltage's earnings for the years 1949 through 1952, inclusive, ranged from \$1.38 to \$1.54 per share on the presently outstanding preferred and common stocks. During the same period annual dividends of 50 percent per share were paid on the preferred and common

stocks.

High Voltage proposes to recapitalize its present preferred and common stocks into a single class of new common stock, \$1 par value, by, in effect, exchanging 5 shares of new common stock for each share of presently outstanding preferred and common stock. After the recapitalization High Voltage will have total authorized common stock of 500,000 shares, of which 210,830 shares will be issued and outstanding.

The applicants state the proposed recapitalization is a necessary preliminary step to the sale of additional stock to raise funds for construction of additional plant facilities, for research and development, for additional working capital and to repay all or part of its present short term bank borrowings. In order to raise 3270 NOTICES

these funds the company proposes to sell at private sale 125,000 shares of additional common stock at a price of \$6 per share.

The application states that Research and the other holders of the preferred stock of High Voltage are willing and believe it to their advantage to relinquish the liquidating preference of \$10 per share which attaches to their preferred stock in order to permit High Voltage to obtain the equity financing mentioned above. Research, which valued the preferred stock of High Voltage at \$20 per share, as of December 31, 1952, has also stated that the fact that the new common stock will be sold at a price 50 percent in excess of the value which it placed on the preferred stock at the above date, furnishes full and adequate consideration for the exchange.

Section 17 (a) of the act prohibits the sale or purchase of securities or other property by affiliated persons to or from an investment company or a company controlled by such investment company. subject to certain exceptions, unless the Commission, pursuant to section 17 (b) of the act, grants an exemption from the provisions of section 17 (a).

Said application having been filed on April 27, 1953; notice of said filing having been given in the form and manner prescribed by Rule N-5 under the act; the Commission not having received a request for hearing within the period specified in said notice or otherwise; and the Commission not having ordered a hearing on said application; and

The Commission finding that the proposed transactions are fair and reasonable and do not involve overreaching on the part of any person concerned. and are consistent with the policies of Research as recited in its registration statement and reports filed pursuant to the act and with the general purposes of the act:

It is ordered, That the proposed transactions, involving the sale and purchase of securities between Research and High Voltage as set forth in the application be and the same hereby are exempted forthwith from the provisions of section 17 (a) of the act pursuant to section 17 (b) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS. Secretary.

[F. R. Doc. 53-5046; Filed, June .5, 1953; 8:47 a. m.]

[File Nos. 54-186, 59-93, 70-1804] ARKANSAS NATURAL GAS CORP. ET.AL.

NOTICE REGARDING AMENDMENT NO. 2 TO SUPPLEMENTAL APPLICATION NO. 2 WITH RESPECT TO THE ISSUANCE OF SHORT TERM BANK NOTES

JUNE 3, 1953.

In the matter of Arkansas Natural Gas Corporation, Cities Service Company, File No. 54-186; Arkansas Natural Gas Corporation, and its subsidiaries and Cities Service Company, respondents, File Nos. 59-93, 70-1804)

The Commission having issued its findings and opinion and order on Octo-

ber 1, 1952, approving an Amended Plan ("Plan") for simplification of the corporate structure of Arkansas Natural Gas Corporation ("Arknat") pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act"); and application having been filed by the Commission with the United States District Court for the District of Delaware for the entry of an order approving said Plan and ordering it enforced; said Court by order dated January 29, 1953, having approved the Plan and having ordered it enforced:

The Commission by said order dated October 1, 1952, having reserved jurisdiction with respect to the terms and conditions under which debentures of Arkansas Fuel Oil Corporation ("Arkfuel") the successor in merger of Arknat and its non-utility subsidiary. Arkansas Fuel Oil Company, are to be issued and sold and with respect to the taking of such further action as may be appropriate in connection with consummation of said Plan;

The Commission having, by order dated May 4, 1953, granted Supplemental Application No. 2 providing, among other things, for the issuance and sale by Arkfuel, at competitive bidding pursuant to Rule U-50, of such amount of \$23,000,000 principal amount of its 20year Sinking Fund Debentures not required to be exchanged pursuant to an exchange offer made to the holders of the preferred stock of Arknat, subject to the condition that such issuance and sale should not be consummated until the results of competitive bidding held with respect thereto should have been made a matter of record in this proceeding and a further order should have been entered by this Commission in light of the record so completed;

Notice is hereby given that Arkfuel has filed a further amendment to said Supplemental Application No. 2 reciting that it offered \$22,520,000 principal amount of said debentures (the amount not required for the exchange offer made to the holders of the preferred stock of Arknat) for sale pursuant to the competitive bidding requirements of Rule U-50 and received no bid therefor; that the proceeds from said offering of debentures were to be used on June 18, 1953, to redeem preferred stock of Arknat not theretofore deposited pursuant to the aforesaid exchange offer; and that the company now proposes to issue notes in the principal amount of \$11,500,000 each to Guaranty Trust Company of New York and The Chase National Bank of the City of New York, said notes to mature in 60 days from date of issuance and to bear interest at the rate of 3% percent per annum with certain provisions regarding the payment thereof as follows: As soon as practicable, but in no event later than 60 days after the date of said notes the banks will be prepared .to accept in exchange for the notes evidencing such loans, new notes in like principal amounts. Such new notes shall be in the aggregate principal amount of \$23,000,000. \$575,000 aggregate principal amount of the notes shall mature each quarter, the first [F. R. Doc. 53-5079; Filed, June 5, 1953; quarterly maturity to be 90 days

and the last quarterly maturity to be ten years from the date of the notes. Quarterly maturities for the first five years shall bear interest at the rate of 3% percent per annum, and quarterly maturities for the second flyo years at the rate of 4 percent per annum. Such notes shall be subject to payment prior to maturity at the option of Arkfuel at any time upon the payment of a premium equal to ¼ of 1 percent per annum of the principal amount prepaid from the date of prepayment to their expressed maturity.

The Commission's order of October 1, 1952, approving the Plan contained with respect to certain transactions described therein the recitals required to accord to said transactions the benefits of Supplement R of the Internal Revenue Code. including the transaction involving the surrender by Citles Service Company ("Citles") to Arknat of its holdings of 870,812 shares of the Preferred Stock of Arknat for retirement and the receipt by Cities in payment therefor of the sum of \$10.60 per share, together with an amount equal to unpaid dividends to the date specified for such payment. Cities intends to apply the proceeds (or an amount equal thereto) it will receive as the owner and holder of said 870,812 shares of Preferred Stock of Arknat to increase its investment in Empire Gas and Fuel Company, a wholly-owned subsidiary, and requests that the benefits of Supplement R of the Internal Revenue Code, as amended, be accorded to the application of said proceeds.

Notice is further given that any interested person may, not later than June 15, 1953, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after June 15, 1953, said amended application, as filed or as amended, may be granted or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 of the rules and regulations promulgated under the act or the Commission may take such other action as may appear appropriate.

It is ordered, That copies of this Notice be sent by registered mail to Arknat, Arkfuel, Cities, and to all parties to this proceeding, that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the persons on the mailing list for releases under the Act, and that further notice shall be given to all other persons by publication of this notice in the Federal REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

8:51 a. m.]